NATION-FAMOUS NEW YORK MURDERS

ALFRED HENRY LEWIS

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NATION-FAMOUS NEW YORK MURDERS

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ALFRED HENRY LEWIS

AUTHOR OF "WOLFVILLE," "FARO NELL AND HER FRIENDS," "THE APACHES OF NEW YORK," "THE BOSS," "PAUL JONES," "PEGGY O'NEAL," ETC.

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Nation-Famous
New York Murders

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THIS VOLUME AS A
MARK OF FRIENDSHIP IS
DEDICATED BY THE AUTHOR
TO
WILLIAM W. McLAUGHLIN,
CHIEF INSPECTOR OF THE
NEW YORK POLICE,
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NATION-FAMOUS NEW YORK MURDERS

I.

THE GIRL IN GREEN.

SHE was born an even century ago in Augusta, Maine. Her name was Dorcas Doyen. Her people, Welsh, were of the class described commonly as "poor but respectable"; as though it were only with the utmost effort that respectability and poverty could be brought into aught resembling agreement, when to be "rich but respectable" is a much more difficult business.

As she grew in years she grew in beauty, until the deep glories of her eyes—so ran pine tree rumor—aroused the very hatred of the stars. She possessed, too, a genius for education, and what she read once she knew always. There are those who have a hole in the bottom of their intelligence. These you cannot educate. Pour a library into them and it is as though you poured water into a funnel. It all runs out.

Byron had just died, and his poems, hot from the press, were shaping men and women. Dorcas Doyen read Byron. And when she grew weary of *Childe*

Harold and *Don Juan* and *Manifred* and the balance of that distorted, bilious, melancholy crew, she tossed her Byron aside to rummage among the ancients and wander in the lands of lost gods and godlike men. And as she read she developed a philosophy—her philosophy. How wise was that philosophy, her short and little life shall show.

As a first mark of her fresh philosophy she fell out of love with her tame drab name of Dorcas and asked to be called "Helen." She did not say so; but it was what she had read of another Helen, for whom a war was waged, a city burned, a people dispersed, and who became the reason if not the inspiration of a Homer and a Virgil, which guided her preference in this.

Helen knew too much or knew too little; also, you who are of ice-bound ideals, might think her of a too adventurous morality. As she studied books, and, in particular, those which told of the long ago, she sought to train her life upon her reading as upon a trellis. It was from the latter that her philosophy most fed. She would never marry. But she would love, yes, and teach others the lesson of love.

As that love-teacher, whom should she emulate? Should she become an Aspasia, and mold a Pericles for peace or war as potters mold their clay? Should she become an elder Lais, to hold some Corinth spellbound by her wit and loveliness, and, dying, have a monument displaying a lioness rending a ram? Or should she follow the lesser Lais, and inspire the pencil of an Apelles? Or, happily finding an Alexander, why should she not become his Pancaste and hurry him to conquest? And there was

Phryne who posed for a Praxiteles, convinced a jury by her naked charms, and offered to restore the fallen walls of Thebes for a no greater reward than an inscription reciting, "Destroyed by Alexander the Great; rebuilded by Phryne the Courtesan!" Decision was not easy where so many and so much invited, but in the end she chose Aspasia.

Helen's old Welsh father died when she was thirteen. She was taken into the family of a judge, rich, reputable, because of her brilliant mind and no less brilliant face. Books were not all with Helen. She had gifts for music, and was perfect with the violin, the piano, the guitar. As wise as beautiful, gifted, accomplished, full of thought and learning, who shall say that she, too, might not have written an oration for the Athenian?

Helen was seventeen, a flower of beauty, half unfolded. Lovers came and would-be husbands wooed. She smiled upon them brightly—but coldly, like sunshine on a field of snow. None aroused within her any warmth of feeling. Of a sudden she disappeared, and left no trace behind. That was the last Augusta was to know of her until unnamed, tender, kindly hands should bring her body back, its ivory beauty hacked and blood-splotched, to lay it in its grave.

Of what seemed coolest purpose, Helen gave herself without love as without reserve to a middle-aged Portland bachelor of the unlovely name of Scroggs. The unlovely Scroggs was rich, and owned a bank. He went wild with love for Helen, and would have married her. She refused. What said her philosophy? For her no wedding bells should ring, no bridal veils be woven.

Scroggs, the unbeautiful but rich, did not despair. He, too, had read the ancients, and as a Jupiter of money sought to come at the obdurate heart of his Danae through the usual shower of gold. Danae gathered the gold, and furnished a house with it. She sat in the midst of every luxury. Also, she gave dinners in honor of Jupiter Scroggs, to which came stealthily yet no less eagerly, as to hidden joys, the aristocratical males of a Casco Bay nobility.

When was all this?

It was not so many years after the verse-making Longfellow had roamed in Deering wood, or sought as a boy the Portland water side to be poetically impressed by the Spanish sailors with bearded lips, the beauty and mystery of the ships and the magic of the sea, but what at these Jupiter Scroggs banquets she met many of that same Longfellow's school fellows, and may even have met himself.

Jupiter Scroggs grew more and more in love, and more and more set upon marriage. It did not seem enough that she was wholly his—she and her dinners, given with his collected showers of gold! Jupiter Scroggs was fearful of a day when she would leave him, and he awake upon some empty dawning to find her gone. And so from a lover he became a pest, and provoked the thing the fear of which had made sick his middle-aged bachelor heart. She remonstrated—tenderly. Would he mar a perfect existence? Jupiter Scroggs would not listen; she must be bound to him by word and term of law. Thus he made himself impossible. Urging her to marry him and put aside the mistress for the wife, he with the last of it drove her from out his arms forever.

Changing her name to "Helen Stanley," Helen went to Boston. It was only to repeat, in briefer space, her Portland story. A Beacon Hill Parker, all blue blood and Puritan frost, came thawing and sighing about her. She might have accepted the love of this Strephon of a Beacon Hill Arcadia, as she had that of Jupiter Scroggs, could it have ended at love and stopped short of wedding marches. But—like that misguided Portland Jupiter, the golden Scroggs—her Beacon Hill Strephon would think and talk and hear of naught save marriage. His case was as hopeless as the other's. And thus, before she might fairly settle to her Hub surroundings, the thawing, sighing, marrying one of Beacon Hill, upon the fond breath of his devotion, had wafted her out of Boston and into New York.

There must have dwelt certain rudiments of a Welsh thrift in the blood of Helen, for her New York City advent was not a penniless advent. Her little rose-leaf hands were full of gold. Why not? Wasn't Aspasia a lady of wealth? Wasn't Phryne? Weren't Lais first and Lais second?

Being in New York, and since she might gold-wise pick and choose, Helen lived variously with Mrs. Post at 11 Howard Street, with Mrs. Waldron at 55 Leonard Street, with Mrs. Gray at 2 Franklin Street, with Mrs. Berry at 14 Duane Street, and, finally—and fatally—with Mrs. Townsend at 41 Thomas Street.

Author Paulding, who must have made a close, fond, sympathetic study of Helen, wrote a description of her for Author Willis, who later, dying and losing interest in it, left it to posterity. Author Paulding, in a burst of what the late Mr. Greeley

would have called "fine writin'," thus expounds Helen, and—through Author Willis—hands her down to us:

> She was a shade below the medium height, but of a form of exquisite symmetry, and which, though voluptuously turned, was sufficiently dainty in outline to give her the advantage of a medium stature to the eye. Her complexion was of a clear brown, bearing in it the voluptuous ardor of that shade, without the dregs and specks which are too apt to muddy the coarser specimens of the brunette, and which, instead of the Promethean fervor, indicate no quality beyond mere grossness of blood. Above a forehead of transparent smoothness, and beside a pair of ivory temples in which might be seen a delicate tracery of blue, she trained two waves of glossy jet-black hair, while on the top—that crown of female glory—reposed the richness of an abundant coil. Her features were not what might be called regular, but there was a harmony in their expression which was inexpressibly more charming than a mere mathematical agreement or a precise accord. The nose was small, which was a fault; the mouth was large, but the full richness of the satin lips, and the deep files of ivory infantry which crescented within their rosy lines, redeemed its latitudinal excess; while her deep, black, steady eyes, streaming now with precocious knowledge and anon languishing with meditation or snapping with mischievousness, gave the whole picture

a peculiar charm which, despite its disagreements, entitled it to the renown of one of the most fascinating faces that ever imperilled a susceptible observer. Added to all these natural gifts, she possessed a nice and discriminating taste for dress, which, aided by her graceful carriage, consisting of a sweet oscillation that seemed rather to woo than to force the air to give it place, served to display those blessings to a best advantage. In disposition this lovely creature was equal to her form. Her heart was kind to excess to all who required her assistance, though the ardor of her temperament rendered her amenable to the fiercest sentiments of passion. These bursts, however, were fitful, not malevolent, and, though unscrupulous in their initial gush of rage, might be turned by a single well-directed touch into the viaduct of generous forgiveness. In manner she was vivacious and merry, though, like all intellectual creatures, she was subject to sudden and violent depressions. But these were brief, and the animal sparkle of her spirits soon triumphed and scintillated all over.

Think of Author Paulding, in an effort at disparagement, dwelling upon a small nose and a large mouth as though they were drawbacks! Did he not know in his college-taught hour that Venus had a mole on her cheek; Helen—she of Paris, after whom our Helen renamed herself—a scar on her chin?

Broadway, south of Leonard, was in Helen's little hour the fashionable promenade. There, of a sunny afternoon, the great Edwin Forrest frowned and

strutted. There, too, you might have met that sun of American letters, and immortal dinner eater, ever loving and leaning upon the rich, Washington Irving. And after him the melancholy Poe, the busy Bayard Taylor, the aged Chancellor Kent, urbane, ambling, thinking on his "Commentaries"; Nathaniel Willis, just home from Europe, pleasing and being pleased; the middle-aged Philip Hone, prig, "gentleman," and altogether delicious diarist; Editor Morris of the *Mirror,* with his "Woodman, Spare that Tree"; poet Halleck from his desk drudgery in Astor's counting house; Ogden Hoffman, fresh from some jury victory in court; David Graham, that other giant of the bar; Bishop Hobart, smugly satisfied with his rectorship of Trinity; Paulding, hoping—but failing—to rival Irving; Fenimore Cooper, austere, high, dull, sour because Irving had been given a public dinner of honor and he had not. In that afternoon Broadway mile you would have encountered a procession as endless as it was immortal. There, too, came the fashionable dames—all beauty and blue blood—mostly the latter —the Ogdens, the Livingstons, the Jays, the Crugers, the Costers, the Beekmans, the Schermerhorns, the Bayards, the Wards, the Emmets and the Storms.

As you wind modestly in and out, you note a sudden change. Forrest relaxes his ramrod strut, Cooper forgets to be sour, the drooping Poe fires as with the inspiration of a new *Annabel Lee,* Willis re-lights the lamp of his flagging interest as if another and a fresher Lady Blessington had appeared to patronize and bedazzle him, the gray Chancellor straightens his stooped shoulders, the 50-year-old

eye of Irving, supposed to be permanently dimmed by the death of the beautiful Miss Hoffman, daughter of the aforesaid Ogden of that ilk, beams and brightens, while the ascetic cheek of Bishop Hobart becomes overspread of a rosy flush.

What has wrought the marvel?

What, indeed, but the last town wonder, the talk of club and drawing room, the admiration of every man and the despair of every woman, the lovely, lustrous, bewildering Girl in Green! The target of every glance, she slowly sweeps along, challenging, demanding, devouring with unblinking, deep, black, velvet eyes. It is to be remarked that the splendors of the fashionable dames about her gutter and dwindle and sputter to a sickly, pale inconsequence beneath the influence of her strange radiance, like candles dying in the sun.

Who is this lustrous, overwhelming Girl in Green?

Who, but Helen, newly come to town.

Helen's New York years were four—and then she died. As in Portland, and again in Boston, she seemed to fill the males of her species not alone with thoughts of love, but orange blossoms. There is a family living in Fifty-seventh Street, no breathless step from Fifth Avenue. One of the grandfathers of that somewhat tip-tilted household was young and warm, and had eyes eager for the beautiful, in those forgotten days when Broadway, all agog, went envying, admiring, praising, criticizing the lustrous Girl in Green. As showing how closely near that household came to having Helen for a grandmother, two letters are extant. That household's grandfather wrote one, Helen wrote the

other. If the old gentleman—young he was then—had had his marrying way, how vastly for that household the world would have been changed.

Thus wrote the grandfather to the lustrous Girl in Green:

NEW YORK, July 7, 1834.

DEAR MISS: The author of the following epistle is a stranger to you, and common courtesy demands a perusal of his sentiments. I should have spoken freely, what I here remark to your private ear, were it not that I was of the opinion you would suppose me trifling with your credulity and insulting your misfortune. Acting with the impulse of nobler sentiments than those who have heretofore addressed you, I would present for your reflection the following proposal: If the gifted and fascinating Helen will forsake the rough road on which she has been a traveler, and adopt one more in unison with her enlightened mind, with no other security than her own word, he who now presents this petition will greet her, not as a mistress, but as one whom the laws of the land bid him protect, cherish and love. I am sensible that the world will chide me for what they term folly, but the purity of my feelings, the genuine motives which inspire me, and the knowledge of your disposition and excellent qualifications that I have gleaned from the information of others, as well as my own observation, have instigated this request, which I solicit may be granted

to your suitor, who respectfully signs himself,

Yours in esteem,
REUBEN JARVIS.

To MISS HELEN JEWETT,
No. 2 Franklin Street,
New York City.

It was with her philosophy Helen saved that tip-tilted Fifty-seventh Street household, which the young and ardent headlongism of their grandfather was putting in peril. Helen stood by her philosophy of life. She was not to be tempted. She was an Aspasia, and would have no bonds but bonds of love. She wanted a Pericles, not a husband—a lover, not an owner. Wherefore, coming to the rescue of that tip-tilted, threatened household, this is what Helen wrote:

NEW YORK, July 9, 1834.

DEAR SIR: It is useless to deny to one who evidently knows me as well as you do, that an acceptance of your offer would be most flatteringly desirable from the standpoint of society. But I at the same time perceive, sir, that its acceptance would lead to unbounded misery for us both. You could never substantially respect me, and after the first flush of your fancy had burned itself out, your fondness would give place to distrust, and I would be suspected at a greater disadvantage than are the scores of good

unblemished women, who notwithstanding the blamelessness of their lives are rendered daily miserable by their husbands' jealousy. Give me leave to speak, sir, on this subject as though I knew something about it. Woman is commonly the bauble of man's passion—always so when he has no deep respect for her purity of character or sentiment. You would be troubled with a host of unpleasant reflections, after the spring time of your liking was over, and the check you would find me, as you sought to mingle with a society to which you doubtless were born, would install your bosom with regrets, and then turn those regrets into hate. Aware of this, from my own experience of the evanescent character of mere passion, it would be unjust in me not to undeceive you or reject a bond which could result only in ultimate misery to us both. There are, also, other reasons of which I need not speak, which compel me to respectfully refer your offer back to your own reflections. For the compliments you pay my qualities of heart and mind, I feel grateful, but I commend you, if you are sincere, to hereafter think as little of them as you may. If, therefore, you see me again—and I cannot but believe you are more intimately acquainted with me than you pretend—preserve, please, your incognito, and do not encourage the thought that an appeal in person will change the resolution I have here set down. That you may not fancy that this determination is founded in caprice, let

me repeat with augmented emphasis that there are circumstances of a private nature which, apart from my philosophy and my clear conclusions of life, would unalterably prevail against you.

Yours with respect,
H. J.

To Reuben Jarvis,
New York Post Office.

Having "looked for the woman," as recommended by the best detective authority of France, let us now, by way of keeping things in balance, take a look for the man. His name was Richard P. Robinson, and—a month older than Helen—he was born in Litchfield, Connecticut. Like Helen, he too was an orphan. His whole sole fortune consisted of an unprofitable land patent for one hundred and sixty Illinois acres, said for the most to be swamp.

Robinson, aged fourteen, came to New York, at that time a riotous metropolis of 202,000 souls. He went to work for Joseph Hoxie, a goldsmith and diamond merchant in Maiden Lane. His stipend was largely inferior to his tastes, which were all luxurious. How he managed during his earlier New York years is here unimportant; he managed somehow until he had touched twenty, when he and Helen came together.

Fannie Kemble was playing *Juliet,* and all the world had gone to see her. Helen sat in a box, arrayed in the inevitable green. Also, quite as often as it looked at Fannie the world looked at Helen,

who, calm, unruffled, imperturbable, gave back look for look.

Helen was alone, for she resented even the implication of ownership which might flow from the protecting presence of a man. As she was leaving the theater, a young blood of the town, full of drink and gallantry, accosted her, to be floored as flat as a flounder by Robinson's fist. Helen had never seen Robinson; the young blood had never seen Robinson; but the latter went down before the Robinson fist as though he'd run against the pole of a dray, and Helen was duly grateful. Indeed, the blow which brought down the drunken blood, brought down Helen; but in a different way.

Helen flashed her black eyes on her champion. Robinson was handsome, with crisp, yellow, wavy hair—not unlike Byron's after the barber had laid aside the curling tongs. His face was high-bred, smooth; eyes gray-blue; nose nobly arched; mouth luxury-loving, sensual; chin rounded, mobile—but weak. There was the undermining disaster of it all; the Robinson chin was weak.

It is to be thought that Helen, for all her learning and her wisdom as the modern Aspasia, took no account of that chin-weakness. She was no mighty reader of faces at best; surely not of the face of a man who had just defended her against insult. What she saw was the Byronic head, the form well-limbed and graceful, the small artistic hands, the shoulders as square-set as the fore top-sail yard of a brig.

Robinson placed Helen in her carriage. As she thanked him, she put a spell upon him with her black, deep velvet eyes, in which Love was already

softly lighting his lamps, and asked his name. The next day she wrote a note. The next night Robinson was at Forty-one Thomas Street. Within a week their love was raging like a forest fire.

Helen warned her lover. If he would please her, have her, keep her, he must never talk of marriage. Robinson promised, though—it might have been but cunning compliment at that—he complained sometimes that he found the promise over-hard to keep.

In Maiden Lane, engaged about merchant Joseph Hoxie's diamonds, Robinson was "Dick Robinson." So, also, was he at his lodgings, Forty-two, Dey Street, where the entrances to the Hudson tunnels are. But he, too, read Byron and was romantic. Being romantic, when he issued forth of nights to see the town he called himself "Frank Rivers." Also, he wore a poetical Spanish cloak and a velvet cap. Later, when he broke upon humanity as a red murderer, that gaping, idiotic fraction of the public, with whom homicide was and is a synonym for hero, copied those articles of wear, and the "Robinson cloak" and the "Frank Rivers cap" became a Broadway *furor*.

Robinson, *alias* Rivers, led a double life, and a double life is among the world's most expensive luxuries. No wages paid a simple salesman of Maiden Lane sufficed him, and with his sensual mouth and petulant weak chin, Robinson, *alias* Rivers, took to embezzlement and theft. The books of Mr. Hoxie, goldsmith and dealer in diamonds, could not have been well kept, for Robinson, *alias* Rivers, carried on his thefts and embezzlements for months before he was found out.

There was an angry roar from the robbed Hoxie,

when those thefts and abstractions were discovered, and Robinson, *alias* Rivers, would have gone with High Constable Hays to the calaboose had it not been for the unexpected. As the stern Hoxie—there is nothing sterner in nature than a jeweler who has been robbed—was summoning that officer, his daughter, child of the house, to say nothing of the heart, of Hoxie, threw herself weeping at his inexorable feet. Voice tear-choked, sob-broken, she told her tender story. She loved Robinson, *alias* Rivers! To send him to the calaboose was to send her to the tomb!

Robinson, *alias* Rivers, in the language of the railways, had been doubling the road. While as Rivers he had made love to Helen, as Robinson he had been quite as tender to Miss Hoxie. Did he love Miss Hoxie? Or was it but a sly move to arrange safety for himself in case his robberies found the light of day? The chances are he loved Miss Hoxie. Some men love many women. I should say that Robinson loved Miss Hoxie, just as Rivers loved Helen. The more, since it came out before all was over that Robinson, *alias* Rivers, had loved under the name of Douglass a Miss Chancellor, living at Eight, Barclay Street, and finding her finally in the way he killed her with arsenic. You cannot understand how one who loves can kill? The criminologist will tell you that most men—given right conditions—are both lover and killer. Let it go, then, for the argument's sake, and the advancement of our history, that Robinson, *alias* Rivers, *alias* Douglass, loved Helen and Miss Hoxie and the poisoned Miss Chancellor.

Merchant Hoxie, who couldn't withstand his

daughter's tears, did not call High Constable Hays to arrest Robinson. As settling the business, he took Robinson's Illinois one hundred and sixty acres of swamp, continued him in his place as salesman, and all upon the understanding that some day—a near day—he was to marry Miss Hoxie.

What has been told in a hasty huddle of paragraphs—those embezzlements and thefts, the near-arrest, Miss Hoxie's saving love, the poisoning of Miss Chancellor of Barclay Street—occupied in its occurrence the greater part of two years. And during those two years, the love tale of Helen and Rivers was going forward at Forty-one, Thomas Street.

Those who are curious over ancient sites and old-time places might be pleased to know definitely where stood the celebrated House of Happiness—I accept the French in that phrase—maintained by Mrs. Townsend. The little stretch of Thomas Street extending from Hudson Street to West Broadway is, I should say, about 300 feet in length. West Broadway was aforetime South Fifth Avenue, and before that Chapel Street. It was Chapel Street when Helen loved and lived and died at Mrs. Townsend's in Thomas Street.

The Townsend house—a yellow brick—was on the south side of Thomas, a trifle nearer Hudson than what is now West Broadway. To the rear was a great shady tree-sown yard, and there in fine weather Helen and her Frank read Byron. You may still find a weed-grown suggestion of the yard, with a moldering western fragment of the Townsend house, should you care to walk through Thomas Street. Also, I advise a policeman for that pilgrimage.

Helen, who soon knew the weakness of her lover, did not deeply respect him. That, however, she held to be of little or less moment, since she did not mean to marry, but only love him. Folk so inveterately headstrong that they plotted to become husband and wife must have minded of course that element of respect. It was hardly necessary, indeed it was quite superfluous, so Helen held, when they were to be and remain mere lovers. And so she went on loving without looking up to her handsome Frank; while he, with his Spanish cloak a careless background and his velvet cap cast as carelessly on the grass, posed as the *Corsair,* and recited how—

> O'er the glad waters of the dark blue sea,
> Our thoughts as boundless and our souls as free.

Or, wearying of the heroic, he would tell of—

> The power of thought, the magic of the mind.

And all without knowing much about it. Helen's Frank, however, with the instinct of the actor, was a good reader; and, to many feminine minds, which yield to sensation as often as to sense, the deep music of a baritone voice, vibrant of sympathy, will carry conviction when arguments, honest, worthwhile, but unmusical and commonplace, have failed. Helen's Frank was most peculiarly her own at what times he told how—

> In the desert a fountain is springing,
> In the wide waste there still is a tree.
> And a bird in the solitude singing,
> Which speaks to my spirit of thee.

Oh, yes; at such moments, with his blue-gray eyes beaming and blandishing like softened lamps, she could have listened and loved forever. For which several reasons of sentiment, and because it in no wise threatened her philosophy—which included love while excluding marriage—the palpable weaknesses of her Frank, his petulance, his selfishness, his want of moral force, did not discourage Helen, who found in him all she for the moment asked, and so loved on.

Helen and her Frank had their quarrels and their separations, just as they had their seasons of forgiveness and reconciliation—after the manner of lovers. It was not until the Hoxie troubles, and the scene wherein the Hoxie daughter came on, that there befell a serious difference. Helen heard the story, and said to her Frank,

"You shall not marry her!"

"Why not? You have refused to marry me."

"That is not the point. I shall never marry any man. You do not love this girl; you love me. You would but marry her, and rob her of her happiness, as you robbed her father of his diamonds and his money. A fine thing!—to atone for one crime with another! I do not choose to have it so, and there's the end."

"But, why? You cannot care for this Miss Hoxie."

"Have it so! Say, then, I care only for myself. Just now I want your love, and will not give it up."

"Some day you'll give it up?"

"Doubtless! But not now."

There was much in Helen and her philosophy to remind one of the great Catherine.

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"Potemkin, you must travel. Here is an order on my treasury for 500,000 marks. Return in a year, and you shall have a 300-serf estate. Start to-morrow; you must travel."

"Yesterday your majesty loved me!" sobbed Potemkin.

"Yes, Potemkin, yesterday! Yesterday I loved you; to-day I do not love you; and so to-morrow you must travel."

Helen's Frank took her looped and gleaming arms from about his neck, and departed. He vowed that he would never see her again. He resolved to marry Miss Hoxie, because he *must* marry Miss Hoxie. He remembered those stolen diamonds, that embezzled money! It was either the bride or the bridewell, and as a gentleman of lively habit who liked his liberty, he preferred the bride.

Her "dear Frank" having remained away a week, Helen became uneasy. She wrote him an imperious note, commanding his appearance, and employing such terms as these:

> Do you think I will endure this? Shall I, who have rejected hundreds, sit quiet under treatment only invented for my mortification? * * * You have known how I can love. Do not, oh do not provoke the experiment of seeing how I can hate. But in love or in hate, Your Helen.

Helen's Frank was afraid of her. And because it is commonly those that are afraid who kill, his timidity made him dangerous. He was in a corner. To gain time, he replied to Helen's note in a letter

in which he said with a loftiness of manner, which his shaking soul did not bear out:

> I have read your note with pain—I should say displeasure—nay anger. Women are never so foolish as when they threaten. You are never so foolish as when you threaten *me*. Keep quiet until I come on Saturday night, and then we shall see if we cannot be better friends hereafter. Do not tell anyone I shall come.

Helen's Frank wrote this letter on the back of an interview with the robbed Hoxie and the tearful daughter. What was said at that interview, and what perhaps was threatened, may have had a deal to do with what it told. It reads as though murder were already in his mind. What he did Friday, and upon Saturday before going to Thomas Street, greatly bears out this assumption.

Robinson, *alias* Rivers, resolving upon murder, showed himself so much the bungler as to seem almost if not quite the fool. Remembering possibly his adventure with Miss Chancellor, his thoughts first turned to arsenic. Dr. Chabert, the Fire King, sold drugs at the northeast corner of Broadway and Pearl. Robinson asked for arsenic at the Fire King's, giving rats as the reason. The Fire King declined to sell him any, greatly doubting the rats. Failing the arsenic, the crude and savage clumsiness of Robinson fell back upon that butcher's weapon, a hatchet.

Robinson, concealed in his Spanish cloak, rapped at the door of the house in Thomas Street as the

far-off bells of Trinity were counting ten. Mrs. Townsend let him in. Miss Stevens met him on the stair, and spoke to him.

Miss Stevens slept across the hall from Helen's apartments. At 2 A. M. she heard groans, and crept to her door to listen. Ten minutes went by, all was quiet. Helen's door was gently opened, and the peering Miss Stevens saw Robinson steal catfoot down the stair. It would seem that Miss Stevens saw too much that Saturday night, for by every symptom she died of poison one week before Robinson's trial.

Looking and listening through her half-open door, Miss Stevens heard Robinson leave the house by the rear. Robinson climbed two fences, and found his way into Hudson Street through the basement of a house which was occupied by a black laundress. In the hurry of his fence-climbing, he lost his cloak, together with the murderous hatchet —a-reek with blood.

The police of those days were laughed at as "Leatherheads." And yet, within the hour following Mrs. Townsend's cries of "Murder! Watch!", Leatherhead Eldridge had found the hatchet, Leatherhead Palmer had found the Spanish cloak, while Leatherhead Dennis Brink had arrested Robinson in bed with his roommate, Tew, at Forty-two, Dey, pretending sleep.

Robinson, having killed Helen, set fire to the room. It was an all-pervading smell of smoke which at 3 o'clock in the morning induced Mrs. Townsend to force the door. Let the elder Bennett, who had just founded the *Herald,* and who—being poor—was doing most of his .own reporting, tell

what Mrs. Townsend saw upon that door-forcing occasion.

Mr. Bennett tells his story queerly, and the modern city editor would first laugh at and then "kill" it. Lastly, he would discharge the man who wrote it. It is none the less, in the language of one who once lived in the White House, and is ready to live there again, a "bully piece of work."

Before going, however, to the picture of the murdered Helen's room as drawn by Mr. Bennett, it might be interesting to glance at the picture of Bennett himself, as drawn the week before by our priggish old diarist, Hone. Speaking of Editor Bennett, Diarist Hone, writing in his library—the house still stands, by the way, though these later years drafted into the vulgar ranks of trade—at the southeast corner of Broadway and Great Jones Street, gives us the following:

> There is an ill-looking, squinting man called Bennett, formerly connected with James Watson Webb in the publication of his paper, who is now editor of the *Herald,* one of the new penny papers which are hawked about the streets by gangs of ragged, troublesome boys, and in which scandal is retailed to all who delight in it at that moderate price. This man and Webb are now bitter enemies, and it was nuts for Bennett to be the organ of Mr. Lynch's late vituperative attack upon Webb, which Bennett introduced into his paper with evident marks of savage exultation. This did not suit Webb's fiery disposition, so he attacked Bennett in Wall

> Street yesterday, beat him and knocked him down. In the meantime Webb and Lynch carry clubs, but do not strike; look fierce at each other, but do not speak. * * * If Lynch and Webb are both men of truth, they are liars. If neither is to be believed, they are both honorable men.

Now that you possess the Hone impression of Bennett, which was the impression of the fashionable Four Hundred, you should be ready for Editor Bennett's story of what Mrs. Townsend beheld. Said Editor Bennett in his Monday's *Herald:*

> Yesterday afternoon, about 4 o'clock, the sun broke out for a moment in splendor. I started on a visit to the scene at 41 Thomas Street. On passing through Chapel Street, I came to the corner of Thomas Street, which runs west from behind the Hospital yard to Hudson Street. A large crowd of young men stood around the door, No. 41, and several groups along the streets in various directions. The excitement among the young men throughout the city was beginning to spread in all directions.
>
> The House is two stories and attic, large and elegant, painted yellow, and on the left hand side as you go to Hudson Street. It is said to be one of the most splendid establishments devoted to infamous intercourse that the city can show. I knocked at the door; a police officer opened it stealthily. I told him who I was.

"Mr. B., you can enter," said he, with great politeness.

The crowd rushed from behind, seeking also an entrance.

"No more can come in," said the police officer.

"Why do you let that man in?" asked one of the crowd.

"He is an editor—he is on public duty."

I entered:—I pressed forward to the sitting-room or parlor. There I found another police officer in charge of that apartment. The old lady of the house, Mrs. Townsend, was sitting on a sofa, talking to several young men, in a great state of excitement. She described what Helen had said—how she discovered the fire—how she made an alarm—how she called for the watch. The room was elegantly furnished with mirrors, splendid paintings, sofas, ottomans, and every variety of costly furniture.

The police officer, when he saw me, said, "Mr. B., would you like to see the place?"

"I would," I replied.

He immediately rose:—I followed him. We mounted an elegant staircase, dark and gloomy. On reaching the second story the police officer took a key from his pocket and opened the door.

What a sight burst upon me!

There stood an elegant double mahogany bed, all covered with burnt linen, blankets, pillows, black as cinders. I looked around for the object of my curiosity.

On the carpet I saw a linen sheet, covering something, as if carelessly flung over it.

"Here," said the police officer, "here is the poor creature."

He half uncovered the ghastly corpse; I could scarcely look at it for a moment or two. Slowly I began to discover the lineaments of the corpse, as one would the beauties of a statue of marble. It was the most remarkable sight I ever beheld—I never have, and never expect to see such another.

"My God!" exclaimed I, "how like a statue! I can scarcely conceive that form to be a corpse!"

Not a vein was to be seen. The body looked as white, as full, as polished, as the purest Parian marble. The perfect figure, the exquisite limbs, the fine face, the full arms, the beautiful bust, all, all surpassed in every respect the Venus de Medici, according to the cast generally given of her.

"See!" said the police officer, "she has assumed that appearance within an hour."

It was the first process of dust returning to dust. The countenance was calm and passionless—not the slightest appearance of emotion was there. An arm lay over her bosom; the other was inverted and hanging over her head. The left side, down to the waist, where the fire had touched, was bronzed like an antique statue.

For a few moments, I was lost in admiration at the extraordinary sight—a beautiful female corpse, that surpassed the finest statue

of antiquity! I was recalled to her horrid destiny by seeing the dreadful gashes on the right temple, which must have caused instantaneous dissolution.

I then looked round the room.

It was elegant in its ornaments. There was a library, composed of novels, poetry, and biography. There hung on the wall a beautiful painting of Lord Byron—the presiding genius of the place. The books were Byron, Scott, Bulwer, Dryden, Pope, Homer, Virgil in English, Plutarch, Shakespeare, Ben Jonson, and others. A writing table in a state of disorder stood near by. It was covered with pen, ink, paper, crayons, pamphlets. Above the mantelpiece hung several sketches.

I returned to take a last look at the corpse. What a melancholy sight for beauty, wit, and talent, for it is said she possessed all, to come to such a fatal end! I came down stairs; the house looked dark and gloomy. But it was throughout splendidly furnished. Such is the scene as it was seen yesterday afternoon.

This extraordinary murder has caused a sensation in this city never before felt or known. It was Saturday night. The murdered girl was most beautiful—a perfect Milwood! She was a remarkable character and has come to a remarkable end. The house is in danger from the mob; let the authorities see to it. A morbid excitement pervades the city.

Let me hurry to a close. The great Ogden Hoffman defended Robinson. The court was held in the present aldermanic chamber of the City Hall. The trial lasted five days. The first day the unruly mob hooted the court into an adjournment. The second day one hundred special marshals clubbed the hooting mob into quietude and peace.

There occurred much sympathy and some lying for Robinson. Mrs. Townsend identified Robinson as the man she let in. Porter Cross of Hoxie's store testified to the hatchet. Mrs. Salters swore to the cloak, and Mrs. French told of his being at the Townsend House that murderous night. The three able Leatherheads deposed to the cloak, the hatchet, and Robinson in bed—pretending sleep. Robinson, when told of the murder, had said "It's a bad business!" Which meant something or nothing, little or much. Tew, who roomed with Robinson, swore to leaving Robinson in Broadway at 8 o'clock P. M. and seeing him next at 3:30 o'clock A. M., when Leatherhead Brink awoke him with the arrest.

Robinson didn't testify. His defence was an alibi. Also, extravagant meetings of sympathy were being held in several of the churches, the Reverend Brownlee, of the Chatham Street Chapel, openly supporting the murder of Helen by Robinson as "a deed to be commended."

To Robinson's alibi there came but one witness. This was a man named Furlong, half fool, whole liar, who worked in a grocery store at the southwest corner of Cedar and Nassau Streets. Furlong swore that Robinson came to the store at 8 o'clock upon the night of the murder, and remained smoking and talking until midnight. Three weeks later,

Furlong had the repentant grace to drown himself in the North River.

Who paid for Furlong?

What influence was guarding Robinson?

Mr. Hoffman, for the defence, was alert, able, indefatigable. Mr. Phoenix, for the prosecution, limped, halted, all but went to sleep. The death of the poisoned Miss Stevens, and how she would have been had she lived a principal witness, received but careless, casual mention. It was not dwelt upon. The drug-selling Fire King told of the arsenic he would not sell Robinson, but that wasn't emphasized. And so it went on. The jury retired at midnight, to return in half an hour—eyes on the floor, as if in shame—with a verdict of

Not Guilty!

As the twelve filed to their seats, a particularly seedy looking juror signaled Robinson that he was safe. At the verdict, a great shout went up, while a hundred "Rivers caps" were tossed in the air, a hundred "Robinson cloaks" were waved. Also, the public, and in particular the court-infesting, trial-attending public, has been a dishonest, hydra-headed ass in every age.

Throughout the five trial days, a middle-aged mysterious stranger sat at Robinson's elbow. In figure he was big, lean, angular, powerful. His hair was iron gray; his eyes were small, sinister and rat-like; his seamed hardwood-finish face wore an expression of coarse cunning. While nothing escaped him, he no less lacked the natural fervor of a principal. Plainly he was somebody's agent.

Who was that somebody?

The question, often put, was never answered.

Rumor had it that the hardwood-finish stranger represented a lady of wealth, who lived in Washington Square North, and who, adoring Robinson, wasted the ransom of a king in buying that murderer's freedom. Be that as it may, the mysterious, hardwood-finish stranger met the shabby juror at Murray and Broadway, on the heels of the verdict, and paid him money. What other jurors he may have met and paid was never known.

Robinson went to Texas, and in two years loathed himself to death. Helen dying at twenty-three, her philosophy of life defeated and broken down, was buried in an unstoned grave on the banks of her clear-rushing, native Kennebec. The town talked for a decade of the lustrous Girl in Green. Also, it was more than a month after the Robinson trial and acquittal before the town dared look at its own shameless face in the glass.

II.

THE BILL POOLE KILLING.

It had been customary for gentlemen, upon receiving a bullet in the heart, to die and die quickly. When, therefore, Bill Poole, butcher, politician, and rough-and-tumble champion, with a half-ounce of lead from Lew Baker's pistol implanted in that important organ, chose to live fourteen days, the wonder of so great a miracle filled not alone the scientific, but the common, mouth.

Not but what prior to the Poole killing there had been plenty to talk about. These, you are to understand, were not timid, but strenuous, days. Franklin Pierce was President, with Governor Marcy of New York—he who, in Jackson's iron hour, had announced as his declaration of political faith that "To the victors belonged the spoils of the enemy"—as his Secretary of State; Fannie Wright was lecturing against marriage, and in favor of free love; Commodore Stevens had taken his skimming dish, the *America,* and beaten the English to a standstill off the Isle of Wight; animal magnetism, which had been mesmerism, was reappearing as hypnotism; Jones Wood, opposite Blackwell's Island, was in process of being rejected by the city authorities as a public park—upon the thoughtful argument that

it offered too many East River opportunities for quietly shoving overboard an undesirable acquaintance—to make way for the acceptance of Central Park which, at a popular cost of $5,169,369, was preferred in its stead; the Black Ball clipper *Sovereign of the Seas,* with four feet of green water washing her forward decks, her masts bending like whips, had hung up the record of 13 days and 19 hours between the Liverpool lights and Sandy Hook; Kossuth, the Hungarian liberator, was on his way to these shores; Adelina Patti, *ætat* eleven, was singing at Niblo's; river pirates Hewlett and Saul were being hanged; Lola Montez was trying to draw old-time crowds—and failing—as *Mazeppa* at the Broadway; Doctor Kane was poking about, blue-nosed and frozen, among arctic ice in futile quest of Sir John Franklin; Sontag was alarming the pulpits and enchanting the town with her high-kicking; the razor-strop man, the four-cent man, the gingerbread man, the lime-kiln man, and the blue man were abroad as public nuisances in Nassau Street; Cow Bay and Murderers Alley were becoming interesting features of the Five Points; the city council, with Bill Tweed and Slippery Dick Connelly as head-liners, was creeping into celebration as the Forty Thieves; the great new play, *Uncle Tom's Cabin,* was in the midst of its phenomenal run of two hundred nights at the National; *Putnam's Monthly,* in charge of editor Briggs, Parke Godwin and George William Curtis contributing, was shoving painfully from shore; the elder Sothern, who would later become *Lord Dundreary,* was holding, under the theatrical *alias* of Stewart, the half-paid boards in Barnum's lecture room; the *Times,* Henry

J. Raymond, editor, was in its swaddling clothes; Corn Doctor Littlefield, as the first "chiropodist," had just opened his toe parlors at 413 Broadway; while down in the Governor's room at the City Hall, Washington Irving was presiding over the memorial service held in honor of his dead rival, Fenimore Cooper, to which the Mayor then and there present contributed a false note with what the *Tribune* spoke of as his "Fernando Wooden smile." Truly, as was said above, these were not idle, but strenuous, days.

The Poole killing found its homicidal roots in politics, a field which has ever furnished its full share of humanity's trouble crop. Tammany Hall had its Chatham Street wigwam in what is now the *Sun* building. Twenty years before the Poole bloodshed—to be accurate 1835—the Loco Focos, a split-off of Tammany, had cast their party hat into the ring, after the manner of a great publicist of our own times, as a bolter party. Had the mighty Burr been there to guide affairs, a Tammany solidarity would have been preserved. But Burr, that hero of love and war and politics, lay dying at Port Richmond, and the foreign elements, notably the Irish, beginning too much to assert themselves in Tammany, the native Americans arched their proud necks for battle. A Tammany convention was held, with the Irish in possession. Having arranged their ticket, the Irish, as putting a final cork in the bottle of possible rivalry, turned off the gas. The native Americans, for the moment in a convention minority, had anticipated that ungenerous gas withdrawal. Blackness had hardly settled upon the scene as might a mantle when from each ingenious native American pocket a tallow candle and a box of loco-focos

were drawn. By the light of these lamps of the Fathers, a second convention was called to order, a second ticket hammered out.

The new party was called after those lucifer or loco-foco matches which had borne so important a part at its birth. It was greatly under the controlling thumb of Editor Leggett of the *Evening Post,* who directed its belligerent destinies through printers Slamm and Ming. Those who sneered at it as the Loco Focos gave it also, still sneering, the name of "Slam, Bang, Ming & Co." Others, also sneering, dubbed it the "Know Nothing" party. The members themselves called the new organization the "Native Americans," and took the field with the war cry "No Irish need apply." Likewise, they cut an amazing figure, drawing to them many Whigs. Upon more than one ballot-box occasion they were vastly more successful than their foes had hoped. They elected Mayor Harper, together with a majority of the Board of Aldermen, all as clean as a hound's tooth, and for once in a way gave the astonished town an absolutely honest administration.

Also, the Native Americans, at divers times, proposed such worthies as James G. Birney and John C. Fremont for the White House, but, in each instance striking an off-shore current, failed to make the landing. They none the less crippled the Democrats and killed the Whigs. Indeed, in the midst of what crash of political matter and crush of political worlds ensued in 1860, it was a shoulder-to-shoulder Native American strength, acting through the Republicans, which elected Abraham Lincoln.

Tammany Hall, then as now, carried on its rolls a formidable list of fighting men. The Native

Americans, who accepted all challenges whether moral, mental, or physical, met Tammany in that matter of fighting men hand to hand and foot to foot. Eminent among the Tammany gladiators were Yankee Sullivan, John Morrissey, James Turner, and Lew Baker. Confronting these, in the fistic forefront for the Native Americans, stood Tom Hyer, champion of the American prize ring, and butcher Bill Poole. The latter was a Greenwich village bearcat who at the pastime known as rough-and-tumble, wherein the practitioner was permitted to gouge, bite, butt, kick, and wrestle, as well as strike with the fist, was held to be unbeatable.

Permit one to preach a bit. Those who believe with the Mugwumps that the best dressed citizen is the best citizen, and cannot see how, when all is in, the sole true difference between men is a difference of bathtubs, tailors, and cooks, will lift their shocked brows protestingly at being here brought into ink-and-paper contact with "brutes and ruffians of the prize ring." Our virtuous even if not learned Thebans should take a look at the returns. They measure most things by money, for their naturalness and pure propriety. Why not, then, apply that rule of money in discovering the naturalness and pure propriety of prize-fighting? Let them go into the box office and count up the gate. What, in time invested and money spent, would they say was the cost of the Reno clash between Jeffries and Johnson? There were 22,000 people looking on, at an average seat-cost of $30 each. Those thousands had come from near and far, from every corner of the country, from Canada, England, Alaska, Australia. And the battle lasted only fifteen rounds, the even

hour! Count the cost of that hour of battle in days and dollars. When folk pay so great a price for anything there must exist some native and natural call for it. Also, those who looked on and had come so far to do so were not "beasts," not "brutes." There were governors, judges, senators among them; there were bankers, writers, thinkers, doctors, lawyers, all sorts. If there were pirates present, so also were there poets. An ex-President wired his regrets at not being able to attend.

There are folk, less concerned for the set of their conscience than the set of their coat, who cannot see that the real and only difference between Avenue A and Fifth Avenue is as the difference between burglary and obtaining money by false pretenses. They call themselves "gentlemen"; too often, however, finding in the term their one excuse for having failed upon occasion to be MEN. Feeling the whited sepulcher necessity of an appearance, their prim and austere moralities are forever walking a tight-rope. They would sooner be respectable than right. Oblivious of the beam in their own eye, they grow keenly alive to the mote in the eye of the man next door, and are forever dragging him off to the oculist. It cheers these purists to give advice to other men. That the latter never take it, in no manner daunts them. Neither do they care for limitations. Alcestes was the greatest archer in the world. But he refused to aim at anything less or lower than a star. He would draw his arrow to the head; it would go twangingly off the bow, leaving a train of luminous mist behind. It flew high and far, that star-aimed arrow! But it hit nothing. Our advice-giving, hor-

ror-expressing, prizefight-condemning friends, assuming that they are not hypocrites, might profit by Alcestes. Even the student of brooding eye and hollow cheek, deep-wrapped in his philosophies, is bound to consider the earth of flesh and blood he's on. And, while the pale Aurelius bends above his *Meditations,* Faustina cuckolds him in the arms of a gladiator.

The waxen, mugwump strain of man is not and never was uncommon. In every age there has been a character of moralist who set physical courage, with physical strength, low in the list of virtues. These poodle-folk, railing at mastiff-folk, are wrong. They make the error common of our vain humanity, and believe that everything unlike themselves is worse than themselves. They cannot understand how physical stamina and physical courage are and must ever be the first requisites of your best man. A best man may no more be constructed wanting these than might a house be constructed wanting foundations and footing stones. There is, to misplace a word, a phrenology of muscle which has precedence over other phrenologies, and a good heart comes oftener of a good stomach than a good head. Man is physical before he's either moral or mental, and the stomach sways the soul. Mankind needs a gladiatorial class. It reflects itself in the swelling stamina and courage of a people. The prize-fighter *per se* is perhaps of doubtful value; but in the second remove he works steadily for good. He affects a race. Folk are made better by him, just as every horse has found improvement as the result of a century of breeding thoroughbreds for racing. Therefore, give to the poor prize-fighter some place

in your patience. It is not well to change your public into sheep. With all about you wars and the rumors of wars, with every nation building battleships, the lesson is indelible that force—physical force—is still that last grand invocation which summons Truth and Right. And so you are not to condemn those fist philosophers who do most of their small thinking with the brain which lies back of the ears. The race should have these promontories of the physical to hold a course by, just as it should have those other headlands of a best morality and a highest thought whereof we sing so much. Those who, while enthroning the mental and the sentimental, make plebeian the physical, should be brought to this reflection: There is not a wife to love her husband so dearly, were a toothache to be made the penalty of her love, curable only by divorce, but would file her petition by the week's close. No, forsooth; the physical is in the saddle, savagery sits on a hill.

And it is well that this is so. Still are we ever saved by that latent savagery which dwells so stiffly within our breasts, defending and keeping its own. And still do we find fame for our fist heroes. What are the names of a century or two centuries ago that live on the lips of the present? Take them from art, literature, statecraft, what fields you will; pluck them from every garden of celebration. With them, in spite of you, will come the Figgs, the Broughtons, the Jacksons, the Belchers, the Humphries, the Mendozas among the boxers. The last will live while the others live; those same exhaustless lamps of immortality will burn with equal oil for all.

How often has it happened in a world of egotism

and self that differences, in their inception political, wound up by being personal? How often, too, has the feud of a leader become the feud of his followers, and a clan taken up the battles of its chief? It was a row between Tom Hyer, then at the physical forefront for the Native Americans, and Yankee Sullivan, whose eminent fists were in the warlike van for Tammany Hall, which in its last reduction brought about the killing of Bill Poole.

Hyer and Sullivan met one evening in a resort which flourished at Broadway and Park Place, and the meeting spelled disaster for Sullivan. Chief Walling, then but a month-old policeman, was in at the finish, and later told what he heard and saw. Inspector McLaughlin was one to whom Walling related the incident; and the Inspector, as from the Church Street windows of his detective offices at 2 Rector we sat gazing down on the tombs of such worthies as Alexander Hamilton, and Lawrence who would "not give up the ship," in the quiet graveyard of old Trinity over the way, passed the particulars on to me.

Said Inspector McLaughlin:

"Born myself in Pearl Street as far away as 1848, in my boyhood I heard a deal of Tom Hyer and Yankee Sullivan. They were rivals in politics, rivals in the prize ring. In 1868, when I joined the police force, Walling, later chief, was my captain. One day, the names of Hyer and Sullivan coming up in the gossip of Mulberry Street, he spoke of a scratch fight the two had had while he himself was pounding a beat.

" 'I was half sailor, half duck-hunter along the Jersey coast,' said Walling, 'and, a chance offering

and my preference running that way, I gave up shooting and sailing to become a New York policeman. I was young and husky, and could stand a clout or two without minding it much, and the life just matched my tastes.

" 'Among what notables were at that time important to the police as likely at any moment to furnish them work were Tom Hyer and Yankee Sullivan. Hyer was a powerful man, and as game as a hornet. Quiet, sober, he made a specialty of playing the gentleman, but could become very dangerous if you rubbed his fur the wrong way. Yankee Sullivan was as brave as Hyer, but, aside from being his physical inferior, came as a prize-fighter nowhere near Hyer's class. Hyer was not what you'd call a criminal. As much couldn't be said of Sullivan, who was later lynched by a vigilance committee in San Francisco. Also, while Hyer was a singularly handsome man, Sullivan was as ugly as the seven deadly sins. I knew Sullivan personally, Hyer only by sight.

" 'On the east side of City Hall Park, at 25 Park Row, was that hotbed of Know Nothingism, Captain Isaiah Rynders' Americus Club. Not a stone's throw away, where the *Sun* is now published, was Tammany Hall. At both places men talked prize-fighting as much as, or more than, they talked politics, and the merits of both Hyer and Sullivan as scrappers were greatly discussed. I remember the common feeling was that, while Hyer might outbox and outslug Sullivan, the latter could outwrestle Hyer, and, in a fight under London rules, where every round must end in a fall, Sullivan, by his wrestling tactics, would best Hyer. The story

didn't run that way, however, when the two finally met in the ring; for Hyer not only outboxed and outbelted Sullivan, but threw him almost as often as he got his hands on him. It was the drubbing that Hyer then gave him which sent Sullivan to San Francisco and the vigilantes.

" 'My beat was down about Broadway and Cortlandt Street. At the northwest corner of Park Place and Broadway, half in, half out, of the ground was one of those convivial basements known as an oyster parlor. Why "parlor" I've never been able to tell, unless the term was used in a spirit of facetiousness. As for "oysters," these joints sold a gallon of rum for every dozen shells that were opened. As I passed that Park Place-Broadway oyster saloon I heard the sounds of a racket inside. The doors were open, the place was brilliant with lamps. I halted for a moment; and then, as the hubbub ceased, proceeded on my way.

" 'By the time I'd reached Cortlandt Street I heard the rap of a policeman's club. Back I ran, and found the officer who signaled in front of the Park Place saloon. "There's somebody getting killed down there," he said.

" 'The front doors had been locked and bolted. There was a scrap going on, and a warm one, too, judging by my ears. A waiter came hot-foot through a side entrance on Park Place, and I collared him. He showed me the door out of which he had come; in I went, telling the other officer to keep close at my heels. But he didn't; he had been longer on the force than I, and vanished.

" 'Inside I found Hyer fixing a cap on a pistol. In a corner lay Yankee Sullivan, bruised, bleeding,

much the worse for wear. Except for these two, the place was as empty as a church. "Put up that pistol," I said to Hyer, who looked as cool as an ice-wagon, with no trace of having been in a fight. "Who the devil are you?" he demanded in a gruff voice. "I'm a policeman," I replied and flashed my star; "what's wrong here?" "Not much," he said; "only they've gone to bring the gang, and I'll not let them murder me without a battle." I told him he'd have to come with me, and we left the saloon.

" 'In Broadway I threw Hyer loose, and, bidding me good night, he crossed the park to Rynders' club. Hyer was hardly out of sight before a howling mob of Sullivan's friends came rushing toward me. They had heard of Sullivan's bad luck, and were crazy for Hyer's blood. If they had caught him he would have been murdered for sure. Some of the gang asked where Sullivan was, and when I told them where I had last seen what was left of him they made a dash for the saloon. You should have heard their yells of rage when they found him! Later, a regular prize-fight was arranged between Hyer and Sullivan and, as I stated, Hyer mopped up the ring with Sullivan.

" 'As a result of these mixups between Hyer and Sullivan the Know Nothing or Native American party was jubilant. By the same token, crape hung from the doorknob of Tammany Hall. Hyer's final victory over Sullivan hurt not only the Tammany pride, but the Tammany pocketbook, such celebrated Native Americans as George Law winning Tammany thousands on the battle.' "

It was my pleasant fortune back in 1898 and for

several years afterward—until his death, in truth—to know Robert Roosevelt, the paternal uncle of another Roosevelt once a tenant of the White House. Robert Roosevelt was in politics a Democrat, and we often met and talked at the Democrat Club. The old gentleman, whose recollections reached rearward to the days of Jackson, was full and ready with his stories. Born in the city, he knew New York's past for seventy years as intimately as most men know the twists and turnings of the hallways of their own houses.

And he could talk and talk well on everything and everybody. How wide, too, was his material! He was on the Battery, all boyish eyes and ears, when the *Constitution—Old Ironsides*—flying ten acres of canvas, came up the bay in Jackson's time, bringing home Mr. Livingston, our minister to France. It looked like war for a while, but the French "paid" and Jackson was appeased. Mr. Roosevelt was in the van of popular curiosity as a boy when President Jackson visited New York; and again when Black Hawk, sullen, dangerous and even then planning his Illinois raids, became the town's guest at the City Hotel.

Did you want to know about old-time society, Mr. Roosevelt could draw you pictures from life of such glittering folk as Dr. Hosack, Chancellor Kent and diarist Hone. Among the editors he had known were Greeley, Dana, Raymond, Bryant, Webb, Noah, and the elder Bennett. Among the writers, Irving, Cooper, Poe, Willis, Taylor, Halleck, and Morris had been his intimates. He was much with Artemus Ward during what brief space that son of laughter edited *Vanity*

Fair. In the theaters he had stood close to Forrest, Davenport, Wallack, the elder Booth, and even Burton. He could tell tales—and did—of Webster and Clay, and what these wise ones saw and said when they came junketing to town. For, as you've been warned, his memory, hard and clear as crystal, reached back to a day when New York City numbered but 200,000 and lots in Park Place within two hundred feet of Broadway sold at $700 the front foot. Canal Street was a suburb, while to speak of the Buckhorn tavern at Broadway and Twenty-second Street was to speak of the wilderness.

Poole was killed in Stanwix Hall; and one Democrat Club evening, which would have been otherwise a dull evening, Mr. Roosevelt gave me all he knew. Let me set his story down in hit-or-miss, rag-carpet fashion, as I gathered it.

What follows is in his words:

Stanwix Hall, on the west side of Broadway near Prince Street, had just flung open its doors. In the heart of the fashionable promenade, it glistened with mahogany and cut-glass. Over across was Leland's Metropolitan, the then hotel wonder of two hemispheres. The atmosphere of Stanwix Hall was excessively political without being partisan, and you might find there every man prominent in city affairs. Any Stanwix Hall evening was sure to show you Morrissey, Hyer, Poole, and Baker, waiting elbow on counter while barkeeper Corny Campbell mixed their drinks. The differences, personal and political, between these men were warm and deep; but commonly they met without the breaking out of

war, and for them to be found in the same room together didn't mean inevitable trouble.

The Tammany crowd most earnestly hated Hyer. The mauling he gave Yankee Sullivan in the ring and at Broadway and Park Place hadn't served to make him popular with the warriors of the wigwam. And whosoever hated Hyer might as well go a step farther and hate Poole. For the two were inseparable, and the foes and feuds of one became the feuds and foes of the other. Hyer, one time and another, beat such game ones in the ring as Country McClosky. No one ever conquered him; and he was what he claimed to be, the unquestioned champion of America. Poole never fought in the ring, never wanted to, his *forte* was rough and tumble; and so he and Hyer never collided in their ambitions. Hyer stood six feet two inches in height, and was as straight as a spear. He had thin lips, straight nose, steady eyes, high forehead, and was, withal, a man of sturdy horse sense. Faultless in his apparel, modest in his manner, and possessing an inborn refinement, he was not wholly unheard of in respectable circles. Poole, the champion of the rough-and-tumbles, was the chief of a faction on the West Side. Bold, daring, aggressive, broad of shoulder, with huge brawny arms, he was the terror of the Tammany bruisers. Both Hyer and Poole were butchers. Poole followed his trade to the last.

John Morrissey, who had come to town from Troy, was the sworn enemy of Poole. He had as little use for Hyer. But Hyer was a professional, and too hard a problem for him. Morrissey himself, in the end, entered the ring, and among his triumphs

counted as not the least a victory over Heenan. Heenan was himself from Troy. After Morrissey defeated him he went to California and forgot Troy in favor of Benecia when later by a few years he met Tom Sayres in England.

Morrissey was honest, generous, brave, and had in him the makings of a great man. In spite of what educational handicaps he suffered from he went to the Legislature and to Congress. No one ever gave Chief Kelly of Tammany so much trouble as Morrissey. Before he fought Heenan in 1857 Morrissey declared at the ringside that, win or lose, it would be his last battle. He kept to his word so far as formal ring fights were involved. It must be confessed, however, that his peace vow didn't prevent his unbuckling in many a private row.

Morrissey was peculiarly constituted. He had in him more of the bulldog than any man I ever met. Always honest, he was sometimes wrong; but, right or wrong, he fought and hung on. Men stopped him now and then but no one ever conquered him. The possibility of surrender had been left out of his makeup. When sober, he was as quiet and as much the gentleman as Hyer. Drunk or drinking, he was first-class company to avoid. And yet, like the honest rattlesnake, he gave due warning. Whenever debate had touched the point where Morrissey tore off his collar with the remark, "I'm John Brown the Button Man!" it was time to guard your head. The remark seems somewhat pointless, but in one sense it was highly relevant in so far as it announced a coming danger.

In his earlier and more hopeful days Morrissey, upon one occasion, came down from Troy, where

he tended bar, and, heading for Captain Rynders' Americus Club, started ambitiously in to clean out that violent organization. It would have been work for a regiment, but the confident young Morrissey attempted it alone. He was laid up for two weeks; but Rynders expressed himself so taken with his valor and gallant heart that he had him put to bed in the best Americus Club room, where he was cared for until restored. Once on his legs, Rynders sent him back to Troy with an approving pat on the shoulder, and an invitation to return and fight the Americus Club boys whenever the spirit moved him.

In the sense general, it was Hyer's clashes with Yankee Sullivan and other Tammany berserks which bore fruit in the killing of Poole. More immediately, the cause of that bloodshed was Poole's own troubles with Morrissey. There was never any New York thing of the sort to equal Poole's funeral. He was buried in Greenwood, from his home at the corner of Amos and Hudson streets. Tom Hyer marched at the head of the procession, which, when strung down Broadway, reached from Bleecker to Whitehall, where the boat was waiting. In length, brass bands, and red, white, and blue flags, the Worth funeral—General Worth of Mexican war celebration, who sleeps under his stone shaft at Broadway and Twenty-fifth street—couldn't hold a candle to it. The most distinguished names attended, and were quite anxious to have it known. To have followed Poole to the grave was worth thousands of votes for many a year to come.

Poole buried, the Native Americans filed their teeth for vengeance. Those concerned in the killing, with the exception of Lew Baker, either gave them-

selves up or were arrested the same night. Baker fled to Jersey City, where he lay hidden until the 10th of March, when he went aboard the brig *Isabella Jewett,* cleared for the Canary Islands.

Ten days had passed before this was known. Once the news was out, however, George Law placed his clipper yacht *Grapeshot* at the disposal of the state. The *Grapeshot* reached the port of Teneriffe two hours ahead of the *Isabella Jewett.*

Secretary Marcy had already asked the Portuguese minister in Washington whether or no the Lisbon government would give Baker up, should he come ashore in Teneriffe. The minister, in the name of his government, said "No"; the treaty between the two countries did not require it. This was known aboard the *Grapeshot* before she sailed. Wherefore, finding that the *Isabella Jewett* as yet had not reached Teneriffe, the *Grapeshot* again put to sea. Stopping the *Jewett* in the open ocean, the American officers arrested Baker. Law gained great applause for his Native American spirit, and decided to ask for the party's White House nomination on the strength of it. He didn't get it.

Baker was indicted, together with Turner, Linn, Van Pelt, Huyler, Morrissey, Irving, and Paudeen. Ogden Hoffman, A. Oakey Hall—later Tweed's mayor—and James R. Whiting appeared for the prosecution, while James T. Brady and Horace F. Clark defended Baker, who demanded a separate trial. Judge Roosevelt, a relative of mine, was on the bench. The trial lasted fifteen days, and the jury couldn't agree. It stood nine for conviction, three for acquittal. Baker was again placed on trial; and for a third time at Newburgh. In each case the

jury failed to find, and in the end Baker and the others were discharged on bail.

Poole was killed in February, 1855. It had been, I remember, a somewhat busy day with me. In West Broadway near Franklin Street was Riley's saloon. As a publican full of civic pride Riley had upreared a liberty pole in front of his groggery. Eli Hazelton, of the old volunteers, was chief of Engine 27. He had wagered a great supper that his beloved machine could throw a stream over Riley's liberty pole, and, although the day was a February day, had run out his engine and won his bet. I was one of the judges. Having done my duty by the fire department in general and Eli Hazelton's brave old 27 in particular, I put in the evening hearing Thackeray lecture on the *Four Georges.* I was in the Metropolitan café across the street, when the shooting occurred, and picked up the story in every one of its angles first hand.

It appeared that four weeks earlier Hyer had been dogged from Lafayette Hall to Platt's under Wallack's Theater, by Turner and Baker, who intended to kill him. Hyer was standing at the bar when Turner and Baker came in. Without a word the two drew their pistols. Turner fired twice, one ball grazing Hyer's neck. Hyer grabbed Turner by the collar and threw him to the floor. Baker attacked Hyer from behind, using the butt of his pistol as a club. Hyer turned on Baker and hurled him on top of Turner. There were a dozen friends of Turner and Baker present, but they stood in too much fear of Hyer to lend a hand. Hyer took hold of Baker by the shoulders and dragged him to the street. Baker struggled fiercely and cut Hyer's fin-

gers with a knife, but Hyer maintained his grip. Both Baker and Turner were badly trounced. The business created excitement, and pistols were in demand among the friends of the parties. There was nothing else talked of in all-night circles for a fortnight.

During what time the rough usage which Hyer had given Baker and Turner was the topmost topic among war-loving spirits Poole, that devout adherent of Hyer, met Baker in a Canal Street café called the "Gem." He at once attacked Baker, and, so the latter claimed, attempted to gouge out his eyes. The police interfered; and Poole, obliged for the moment to desist, notified Baker that he would yet "settle his hash." Baker made this his night and day excuse for going armed.

Morrissey was Baker's friend. Morrissey was physically fairly the equal of Poole. Nor was he beneath him in either courage or endurance. Also, he professed himself eager for a battle which should settle their superiority in the art of barroom fighting. Morrissey foolishly offered to bet Poole $50 that Poole couldn't name a place in New York City where he, Morrissey, would not meet him. Poole, ever ready for a sure wager, covered the money, and named the Christopher Street pier, within two blocks of his own home. Morrissey, seeing the utter hopelessness of Christopher Street, paid the money, but declared that Poole could not name another place. This was equally weak-minded. Again the $50 was put up, and Poole named Amos Street pier, one block above the other. The hour was to be seven o'clock in the morning. This time Morrissey did not forfeit. At the hour appointed, accompanied by a

dozen men, Morrissey was at Amos Street and the North River. Instantly a crowd attacked him; he was knocked down and nearly killed.

On the evening of February 24, 1855, Morrissey was drinking with some boon companions in the back room of Stanwix Hall. Poole came into the place. Morrissey, who was more than half drunk, headed at once for Poole, pouring out a torrent of abuse. Poole told him to get sober, and he'd talk to him. At which Morrissey drew an Allen revolver and snapped it three times in Poole's face. The old Allen wouldn't explode. Poole drew a revolver while Morrissey begged for another pistol.

New York City has never been without a King of the Newsboys, and in 1855 one Mark Maguire was the reigning monarch. He afterward graduated into a grogshop and then into the grave. Maguire, who had not been one whit discouraged when Morrissey pulled his old Allen on Poole, at sight of Poole's pistol became greatly commoved. In tones of reproach, he said to Poole: "You wouldn't kill a helpless man in cold blood, would you?"

Poole flew into a rage. There were two big carving knives, keen as razors, lying on a lunch counter. Poole, as a professional butcher, knew all about knives. Taking one in each hand, he tossed them on the floor, and challenged either Maguire or Morrissey to make his choice. He, Poole, would fight either of them, butcher knife against butcher knife. Morrissey and Maguire did not like the cold, gray look of those knives. Moreover, it was known that Poole could throw a butcher knife through an inch of pine at twenty feet. The knives would lay unclaimed for all of them.

Baker had come in, having been told by a messenger that Morrissey was in a row with Poole. Baker kept very quiet, not liking the situation.

Officers were called and arrested both Morrissey and Poole. Poole went to the station house and gave bail. He then returned to Stanwix Hall, ostensibly to apologize to the management, but really to look for war.

Baker, Turner, Huyler, Van Pelt, Linn, and Paudeen, talking things over in a nearby ginmill, determined to settle matters. The hour was midnight. One after another the six sauntered into Stanwix Hall. The place was supposed to be closed, but the door had not been locked. Poole was standing by the bar. As the blood-hungry six entered, Turner called for drinks. Paudeen, the last in, locked the door, and glancing at Poole, said:

"There's that damned Yankee fighter now!"

Poole answered, as cold as a wedge: "Yes, and you can bet he's a dandy at his business!"

Poole clinked down five ten-dollar gold pieces as forfeit money, and offered to wager $500 he could whip the best one of the six. At that, Turner, getting nervous, yelled to his partners:

"Sail in!"

Turner whipped out a Colt's revolver, swung it over his head, and fired. The ball entered his own arm, and he prudently fell to the floor. From the floor he fired again and shot Poole in the leg. Poole staggered toward Baker, who had not moved. Poole tried to get hold of Baker, but the latter dodged and Poole fell to the floor. With that, Baker shouting "I guess I'll take you anyhow!" shoved his gun against Poole's breast and fired, sending the ball into

his heart. Baker, after firing another shot into Poole, ran out of the saloon. Poole, through his great strength, got to his feet, and seizing a knife tried to follow him. The effort was too much! He had only reached the door when he again fell.

"I guess they've got me!" he said.

The others had reached Broadway in advance of Baker—all save Turner, who still hugged the floor, playing 'possum lest the formidable Poole recover. Poole lying still, Turner finally dragged himself to the street and reached a place of safety.

No one who knew Morrissey ever believed that he had the slightest guess at the Baker-Turner intention to kill Poole. Murder wasn't Morrissey's style, and in all chance he would have defended Poole had he been there. Morrisey was but recently married, and lived at 55 Hudson Street. Having promised the officers who arrested him that he would not go north of Canal Street again that night, he kept his word. He went home, and while in part the unthinking cause of the killing, he was in no other way connected therewith. Poole, however, died at his Amos Street home declaring that Morrissey had had him murdered. It was fairly the last word he said to Dr. Putnam.

Fourteen days had passed since he was shot, and Poole lay in a half stupor. Hyer was by him day and night. When the end came Poole roused himself feebly and said—a glazing eye on Hyer:

"Good-by, Tom; tell the boys I died a true American."

Like many of his guild Hyer went finally off in a galloping consumption. I used to meet him, crippling about, broken, bent, an old man while yet his

years weren't forty. Either for the sentiment or the music of it, he was vastly given to poetry, and, at a gathering where everybody was bound to sing a song, make a speech, tell a story or recite a poem, he rendered—not without feeling—those stanzas in which are the lines—

> The heart that has truly loved never forgets,
> But as truly loves on to the close;
> As the sunflower turns to her god when he sets,
> The same look which she turned when he rose.

That recitation has ever stuck in my memory, possibly because it came from Tom Hyer, and one is more or less unprepared for softness and sentiment in a prize-fighter.

Of the six who came hunting Poole in Stanwix Hall that February midnight none was hanged, none imprisoned. One or two died with their boots on. Paudeen, who by odds was the vilest ruffian of the six, met his death three years later in Butt Allen's dance house in Howard Street. He was shot by Dad Cunningham, a waspish little man, for speaking evil of Morrissey. The waspish Dad was tried and acquitted. Paudeen possessed the social value of a rattlesnake, and the jury, so far from convicting the waspish one, were much more inclined to vote him a silver tea set.

Thus, as given me by Mr. Roosevelt, ran the tale of the killing of Poole. At one of the libraries the other evening I looked through the files of the papers for 1855. There was nothing to add; Mr. Roosevelt had told it all. As I searched the papers I was struck by an editorial paragraph in one of

them. Written nearly sixty years ago, it had the voice of yesterday. It might well have been inspired by, we'll say, the killing of a Rosenthal. It read:

"The affair [Poole's murder] is especially remarkable as having developed a state of crime and ruffianism in our city that is truly startling. The inefficiency of our present police system, the delays of justice, the frequent escapes from punishment of well known offenders, call loudly for reform; not a reform that will waste and spend itself in mere words, but for practical results."

How like yesterday that sounds!

III.

THE DRAFT RIOTS.

Inspector McLaughlin told me the story. We had been discussing the police, and the unfair treatment which as a body the force receives in the minds of New York men.

"New York should not forget," said the Inspector, "that, save for the police and the protection they threw over it, the town during the hot week of riot in 1863 would have been wiped off the map. I was sixteen at the time, and saw and heard all that one boy could. For seven days I was afraid to go to sleep lest something happen, and I miss it. Afterward, when I myself joined the force, that riot campaign was still the talk of every section room, and I had it, in its hundreds of corners, from the very men who swung the clubs and cracked the skulls. Walling, who as a captain had moved in the smokiest thick of things, assured me that compared with it the Astor Place war over Macready, in which Walling himself collared that tough character Butt Allen, of Howard Street Dance Hall notoriety, for heaving gallery chairs at the stage, was as a zephyr to a hurricane. The riot lasted roundly a week. The field of hostilities covered Manhattan Island, river to river, south of

Forty-ninth Street. There were small flare-ups, too, in Brooklyn and on Staten Island. Over four hundred fires were started. For, when rightly understood, the draft riot wasn't a draft riot so much as an all-round criminal effort to murder, burn, and pillage. The draft riot proper was put down in a day; it took the balance of the week to drive the thugs and robbers back into their holes."

It occurred to me that here, in Inspector McLaughlin, I had a best draft-riot historian. For who should be superior in such a rôle to one who himself had been an eye-witness, and, moreover, had had the tale from scores who fought in that week-long strife? Also, as an officer, the Inspector was entitled to respect. For forty years a policeman, he was holding, when he retired, a place especially created for him by the Legislature at the top of the force. Scotland Yard had called him "the best policeman in the world," and the Pinkertons endorsed the description. I urged the Inspector to give me a picture of the riot, as he recalled it.

These which follow are his words:

To me, who later as a policeman saw more than one mob in action, the riot was of itself a lasting lesson. Judging by what was done that July week in 1863, what would be the lawless picture were a mob to get the upper hand in the city now? The draft riots were fifty years ago. The city, I should say, was about 550,000 strong in population. Now we count 5,500,000. Fancy a big strike, the iron-workers, or the street car men, or any other force equal to giving the police all they could do—what, in such a case, would be the result?

In New York—and this is true of all large centers—whenever any set of men start out to ventilate their grievances by force, there will always gather about the malcontents the worst elements of society. The criminal classes will always be ready to take advantage of any general trouble to murder and steal. These robber elements are the big peril. There has not been an instance of a riot, in any large city, in which robbery did not have a prominent part. A riot is the thief's opportunity. For years after the draft riots, stolen watches and silverplate, taken during the riot from the houses of citizens, were from time to time unearthed by the police. Furniture, china, every sort of article were carried off. Lace curtains, tapestry carpets, rugs, and rich hangings were found decorating the most poverty-stricken shanties. The pawnshops got most of the loot, to be sure, and whatever they got was gone for good. Pawnshops know how to hide things.

The New York nose-count at the time of the draft riots, as I've said, couldn't have been over 550,000. That should mean a criminal element of not above 30,000. Apply the per cent. thus indicated to the 5,500,000 who make up the present New York population and you'll get a total criminal element, ready to welcome a general riot as its best friend, of roundly 300,000. What in the way of arson, pillage, and sudden death should a red-handed criminal army of 300,000 be able to accomplish, faced by only 10,000 police? The town right now is like a man living neighbor to a ton of dynamite. It would call for the gatlings from Wadsworth and Hamilton to clear the atmosphere if anything of draft-riot

sort were to occur. There would be dray-loads of dead men, rivers of blood!

Kennedy was chief of police. The draft had been ordered from Washington, and an ugly feel filled the air. There was a big bunch of copperheads, that is, Southern sympathizers, in New York. Many of them had drawn together in a secret society known as the Knights of the Golden Circle. These "Knights" were red and raw at the mere idea of a draft, and some of the papers were vile enough to encourage them. Old Horace Greeley wasn't one of these; he gave them what he himself called "hell" in his *Tribune*. How the copperheads hated Greeley! To only name him set them afire!

The first big blunder was made by the Washington government. It set Saturday, July 11, as the day to begin the draft. Monday would have been wiser. There are too many idle people about on Saturday. There are more on Sunday. Saturday's draft began and the Sunday papers printed long lists of those whose names had been taken from the boxes. The evil-disposed had all Sunday to read the lists, and lash themselves into a riot fury. And so earnestly did they put in the day at this exercise, to say nothing of the night, that, when Monday's sun came up, they were ready for blood.

Kennedy hadn't made the preparations he might have made. It's to be doubted if he appreciated the danger. And yet, why blame him? As the old Dutchman said in the story, a man's hindsight is so much better than his foresight that, after a thing is done with and over, it's easy to look back and criticise. Moreover, whatever carelessness Kennedy may have been chargeable with, he paid for. On

Monday, while in the neighborhood of Third Avenue and Forty-sixth Street, alone and unarmed, he attacked a gang which had set fire to the Marshal's office. As he charged the crowd someone shouted:

"Here's Kennedy!"

That was enough. Before he had time to realize the situation a blow from behind sent him reeling down an embankment into a vacant lot. Flight was his single chance. He ran across the lot, the rabble hard behind him. He out-ran the mob and was climbing out on the Forty-seventh Street side when a fresh mob, as cowardly as the first, headed him off. The toughs came at him with a yell, and for the second time he was hurled down the embankment. The mob followed him. A burly ruffian tried to break his skull with a club, but Kennedy managed to protect his head. By this time, from stones and clubs, he had received full fifty blows.

Kennedy turned toward Lexington Avenue, where there was a pond.

"Let's drown him!" howled the mob.

They threw Kennedy into the pond; his face struck a stone, and was badly cut. Making his way through the mud and water, he reached Lexington Avenue. There, most fortunately, he ran into John Eagan, a well-known contractor. Eagan was not only a man of nerve, but possessed enough influence with the mob to protect Kennedy from further violence.

Kennedy, who had fainted, was laid in a feed wagon and hurried to headquarters. As the wagon drove into Mulberry Street Commissioner Acton, head of the Police Board, was standing on the station house steps. Acton saw the bruised and bleed-

ing Kennedy in the wagon, but never guessed who he was.

Kennedy, all but dead, went to the hospital. His next in command was Inspector Carpenter, the best field marshal the police ever produced. Commissioner Acton himself took command at headquarters, and for five days, from Monday to Friday, never left Mulberry Street. It wouldn't be too much to say that he never even slept. Acton was a natural soldier. The town should have thanked its stars on all fours, for Acton at headquarters and Carpenter in the field.

On Monday, when the rioting started, the police in a manner were caught off their guard. This was a headquarters' fault. There had been storm signals flying both Saturday and Sunday. Handbills of copperhead kind had been circulated, meetings held. On Monday morning, when the mob assembled and showed its teeth, the off-platoon had not been called on duty. The only reserve ready was one section in each station. These sections were at once ordered out; but, going to the scene of war by different routes, they were met and beaten by the mob in detail.

The effective way would have been for the various sections to have had a common rendezvous. Then, when a sufficient number had been collected, they could have been marched against the rioters. Thus the mob might have been broken and beaten at the start. Still, as I've said, it's easy to look back and criticise.

On Monday, the 13th, the draft was put in motion at 1190 Broadway, near Twenty-ninth Street, and at the corner of Third Avenue and Forty-sixth

Street. This latter point was where Kennedy so nearly met his death. The battle began at the Third Avenue draft office. The mob rose and rushed the police and marshals. The little huddle of police were routed. The mob at Broadway and Twenty-ninth Street, getting the encouraging news, went on the warpath, and, among other destructive matters, set fire to the block.

Then the word ran all along the criminal line, and the Five Points and every other city slum and social catch-basin began giving up their human vermin. Out they came, skulking, but no less hungry and ferocious, and the loot of the town began. There was fighting in Greenwich, in Chatham, in Frankfort, in Cortlandt, in Catherine, and in Canal Streets; there was fighting in West Broadway, in East Broadway, and in Broadway proper; there was fighting in First, in Second, in Third, in Lexington, in Sixth, in Seventh, in Eighth, in every avenue between the East and North Rivers. Likewise, the police were everywhere fighting not draft rioters, but common criminals bent on robbery.

In the beginning, because the odds against them were as one thousand is to ten, the police were beaten. To Inspector Carpenter went the glory of the first telling victory. The warning came into Mulberry Street that several thousand roughs were cursing and shouting their way down Broadway, with the purpose of burning headquarters and killing what police were there.

That was enough; Carpenter was a scrapper from his toes up. At the head of a couple of hundred officers, a mere handful compared to the several thousand they were to face, Carpenter met the mob

in front of the Metropolitan Hotel near Prince Street. The roughs were armed with crowbars, clubs, knives, and guns. Carpenter never waited to throw out skirmishers.

"Charge!" he shouted. "Remember Kennedy, and strike to kill!"

Double-quick! The locusts began to go up and down; cracked skulls became the instant order of the day. It was to be noticed, too, that even in the press and heat of battle the police struck only those who had clubs or other weapons in their hands. Such people, however, were in no wise hard to find. There was always some mobite within reach, either swinging a crowbar or snapping a pistol.

The roughs fought stubbornly, for a mob. Former successes had served to stiffen their nerve. It was no use; Carpenter proved too much for them. He himself set an example to his men, and drew the first blood. He brought his club down on the head of a giant rough, armed with an iron bar, and the fellow fell a-sprawl like some pole-axed ox. Broadway ran blood. Five minutes of fighting and the roughs broke and vanished down the side streets like frightened sheep. It was the mob's first defeat.

The next big mixup came off in Printing House Square. Greeley and his *Tribune* were loathed by the copperheads with a fervor almost sentimental. The Knights of the Golden Circle had had their hateful eyes on Greeley and his *Tribune* for months. When the riot began, those Golden Knights, full of a fine strategy, swooped upon the state arsenal at Seventh Avenue and Thirty-fifth Street. They aimed to capture what thousands of rifles and ammunition were stored there. But Carpenter, in the

vernacular of the East Side, had "beat 'em to it," and they found the place garrisoned by police. With that the Knights abandoned the capture of the arsenal, their hearts not equal to the work, and, scraping together what guns they could pick up, started downtown to lay waste Greeley and his *Tribune*. As they came trooping down Broadway, they were singing:

> We'll hang old Greeley to a sour apple tree!
> We'll hang old Greeley to a sour apple tree!
> We'll hang old Greeley to a sour apple tree!
> And send him straight to hell!

But they didn't. They ran into Carpenter and his men, all of them more or less sore from the cuts and bruises they'd received in the fight in front of the Metropolitan. Many people and most newspapers seem to think that you can smash a policeman with a brick, clout him over the head with a club, stick him with a knife, or even shoot him full of lead, and, in spite of it all, he'll remain as suave as a day in June. This is error. A policeman, upon being smashed or clouted or stabbed or shot, feels much as would other people. Thus it fell out that those copperhead patriots, so harmoniously bent upon hanging "old Greeley to a sour apple tree" and "sending him straight to hell," found Carpenter and his two hundred in what might be termed a business mood. And, naturally, our copperheads suffered in consequence. The fight came off in City Hall Park. When the dust of conflict blew aside, the singing had ceased and the grass was carpeted with bleeding copperheads. Not a few, in fact, had been sent to that same sulphurous, not to say sultry, region which

they had so lately designed for "old Greeley." During the five days of fighting there were three attacks made on the *Tribune* building. Not one succeeded; the mob was each time hammered into ignominious flight.

While Carpenter was breaking skulls and winning glory in Broadway and at the City Hall, the rioters were not doing so badly in other parts of the town. Telegrams—4,000 of them in the five days of war—came pouring in on Acton down in Mulberry Street, reporting deeds of destruction from every quarter south of Forty-ninth Street. War was again raging at Forty-sixth Street and Lexington Avenue; a mob had broken into Brooks' store in Catherine Street; the torch had been set to the Weehawken Ferry house; a provision store in Greenwich Street was being looted; a negro had been hanged to a lamp-post in Clarkson Street, and, the rioters having built a fire under him, were dancing around it like savages! The most serious word of all was that a copperhead force, to the fighting strength of a full brigade, had attacked a wire factory at Twenty-first Street and Second Avenue, in which 4,000 carbines and 200,000 rounds of ammunition were stored. The plot, as say the novelists, was thickening. To add to the interest, several establishments in Broadway were being sacked. Also, five police stations reported themselves in a state of siege.

While matters were thus criminally afoot, a concourse of firebugs, torch in hand, made their hilarious way up Fifth Avenue to the negro orphan asylum, which stood between Forty-third and Forty-fourth Streets. The burning of the black asylum exhibited the mean and vicious temper of the mob.

The asylum held within its walls two hundred colored children, besides officers and matrons. The main building was four stories, with wings of three.

When the attack began, Superintendent Davis fastened the doors. That done, while the mob was breaking them in, the children were collected and taken from the building by the rear door. The mob forced its way inside, and the building was ransacked and pillaged. Everything worth a dollar was carried away. Then came the torch.

Chief Decker of the fire department upon reaching the scene, tried by argument to draw off the miserable rabble. He forced his way into the building, and was three times knocked down. Having been joined by ten firemen, he determined upon making another effort to save the asylum. Engineers Lamb and Lewis swelled the ranks of the little band that then rushed the crowd and penetrated into the building.

The furniture had been broken and piled in different parts of the house, while fires were already kindled on the first and second floors. The firemen scattered and extinguished these fires at the risk of their lives, the building being filled with rioters. Some of the latter, despite the efforts of the little band of firemen, at last succeeded in setting fire to the loft. To save the structure was now an impossibility, and the firemen and the mob alike were driven forth by the spreading flames. The asylum was wrapped in fire, and within an hour only a portion of the walls remained standing.

The children had been carried to the Twenty-ninth Precinct Police Station, the smaller upon the backs of the larger, and made as comfortable as possible.

The poor little creatures were almost crazed with terror.

It wouldn't be worth while, even if it were possible at so late an hour, to record each day's rioting and the mob's repulses by the police. For well nigh a week the clubbing and shooting, burning and robbing, constituted a continuous performance. The curtain was never once lowered on that drama of smoke and blood and pillage. The Federal government sent a few soldiers, only a few. Gettysburg had just been fought and every bayonet that could be spared from about New York was in Pennsylvania. The police for the most were obliged to fight the town's battle alone.

In what might be called, quite properly, the campaign of Ninth Avenue, however, the soldiers were an important factor. Some of the riotous spirits appeared to be familiar with the history of the French revolution, and had been bitten by the theory of barricades. These amateur engineers became exceeding busy in Ninth Avenue, and threw up barricades at intervals along that thoroughfare, from Twenty-sixth to Forty-second street. These obstructions were constructed of bricks, carts, wagons, and telegraph poles, the whole lashed together with telegraph wires, chains, and ropes. Many of the roughs behind these barricades had firearms, as did others who were posted on the house-tops.

The orders were to clear the streets, and a company of Zouaves went along to support the police. There were perhaps one hundred coppers. They moved on the first barricade at Forty-second Street, soldiers in the rear. When within a short distance of the barricade the police were greeted by a storm

of pistol shots, punctuated by an occasional bullet from a rifle or musket. Fortunately most of the balls flew high; still it was warm work. The barricade refused to be carried by the police, who thereupon deployed to right and left, allowing the Zouaves a chance to maneuver and return the fire of the roughs. This they did to the queen's taste, and the roughs broke and ran. The first barricade had been carried.

Again the police went to the front, and again they were greeted with a volley. The Zouaves, in skirmishing order, occupied the sidewalks as the police charged, getting a shot at the rioters whenever they exposed themselves. Every inch of ground was disputed, but slowly and surely the police and Zouaves advanced. One by one the barricades were captured, until the town could again call itself in control of Ninth Avenue.

Some of the Zouaves showed themselves good shots, too. A rough armed with a rifle had stationed himself on the roof of a building at the southeast corner of the avenue and Thirty-fourth Street, and was firing as fast as he could load. He was having a picnic, being protected by an angle of a dormer window. One of the Zouaves, watching his chance, fired slam-bang through the wooden corner of the dormer window and the picnicker came off the roof, end over end, like a shot pigeon.

Another fellow on top of another house made himself both conspicuous and offensive by taking every possible crack at policeman or soldier, and then ducking behind a convenient chimney. He made the trip once too often. A Zouave got him plumb center and he threw up his arms and fell

headlong to the street. There was a rifle ball as neatly and as nearly in the center of his forehead as you could put your finger. These weren't the only dead ones. Not a barricade was charged and taken without a death-loss of from two to twenty.

The police with their Zouave friends had hardly cleared Ninth Avenue when word came flying that the mob had attacked a colored church in Twenty-seventh Street. No police time was lost in getting to the scene of action. Also, the rioters gave them a red-hot reception. The mob had even thrown out a line of pickets, to warn them of police approach. It chanced, however, that several fire engines were passing through the street. Mixing with the firemen the police got to the church without attracting the mob's attention.

The building was full of roughs. No sooner were the police discovered than they were met by a sharp fusillade. There were pistols, muskets, and shotguns in the hands of the roughs. The police returned the fire with their revolvers.

One enterprising rioter was on the ridge-pole of the church, hacking away with a hatchet. His form stood out strongly against the sky in full sight of the crowd. Slowly a blue-coated arm was raised above the gable. There was a flash and a roar, and hatchet and man dropped out of sight. When the fracas was over his body was found at the rear of the church. The bullet had bored his brain; he never knew what hit him. When the hatchet man fell there arose a howl of rage, and the rioters tore into the police in a most savage and determined manner. It was club and gun, and the roughs were handled unmercifully.

Walling was credited with killing a rough in Eighth Avenue. When, years later, he and I had become intimate, I one evening asked him concerning it.

"This is how it happened," he said. "Late Tuesday afternoon of the riots I was standing, no one with me, at the corner of Eighth Avenue and Thirty-fifth Street. Seven or eight burly fellows, armed with clubs, marched up the street. In the middle of the block was a hardware store kept by a Dutchman named Heiser and there the ruffians stopped. The leader was flourishing a heavy cart-rung, with which he proceeded to smash in Heiser's door. Heiser dealt in guns and pistols, and if the roughs succeeded in getting into the store they would arm themselves and their comrades.

"There was no time to go seeking reinforcements. The rough with the cart-rung worked with such energy and strength that at the third or fourth blow he split the door. It so happened, too, that the cart-rung stuck in the crack. While he was trying to pull it out I struck him over the head with my locust. Down he went to the pavement as though he'd been shot. His fellow roughs made no attempt to pitch into me, but put him into a cart and hauled him off. I learned afterward that a doctor was sent for to attend him. His remark on seeing his patient was: 'He doesn't want a doctor; he needs an undertaker.' The man was dead!"

Speaking of Walling reminds me of an incident. You may have noticed how promptly certain politicians and newspapers jump on the police whenever anyone, however criminal, gets hurt. The general feeling seems to be, according to these poli-

ticians and papers, that it is the duty of a police officer, upon all occasions, to employ none save lamb's-wool methods. Every criminal must be packed in cotton batting and sung to sleep. Should the criminal wound a policeman, the latter is sufficiently rewarded upon being given a penful of newspaper sympathy and called a "brave fellow." Should he leave his marks on the criminal, however, there is a tremendous hullaballoo.

Off-hand I can recall a dozen cases. Lieutenant Becker was chasing a burglar who fired at him point-blank twice. Becker took a shot at the burglar and bowled him over. The papers yelled "Murder!" and the politicians did the same. It promised very black for the burglar-killing Becker. Fortunately, Roosevelt was police commissioner. Roosevelt went all through the killing with a lantern. Blood interested him, and besides he liked a square deal. Also, no paper, no politician, could yell loud enough to stampede Roosevelt.

After Roosevelt had examined into the dead burglar's taking off and what led up to it he sent for Becker.

"Mr. Officer," said he, extending his hand, "let me congratulate you. You are a good policeman and a good shot."

That set the tide the other way. Twelve hours later every paper was exalting Becker, and every complaining politician had gone into his hole and pulled the hole in after him. Certainly, every politician has his favorite criminals. The latter are not wanting in a ballot-box importance, and have turned the scales in many a close election.

Another instance: Take the case of Officer File.

During the San Juan Hill riots the fighting negroes had taken to the roofs and were hurling bricks and firing pistols at the police. I was in charge, and ordered my men to clear the roofs. As File stood at the foot of a ladder, which led to the roof of a building into which he had forced his way, a negro fired twice at him through the scuttle-hole. One of the bullets took the nap off File's coat collar.

File fired once, and caught the pistol-shooting negro in the stomach. The shot meant a dead negro and the papers began the usual roar. The papers never fail to pitch into the police as a matter of both instinct and habit. The force seems to be the official devil of New York, and to pitch into a policeman is reckoned highly popular. Wherefore, when the shot negro was carted off to Roosevelt Hospital to die, the clouds, ink-clouds, began gathering about the helmet of File. He was put under arrest, and would have tasted all sorts of trouble if it hadn't been for the dying negro himself. They hurried File, under arrest, to Roosevelt Hospital for the negro to identify as the man who'd shot him.

"He's the man all right," whispered the negro, who was getting weak, "but I don't blame him. I'd tried a crack or two at him and missed. I'd made up my mind, too, not to miss him the next time. It's then he lets drive and gets me where I live. He's all right; I don't find no fault with him."

The negro died; File was sent back to duty. It would have been a trifle too much to try him for murder after he had been exonerated by the man who was killed. But no one thought of thanking File for standing fire and grazing death in defense of the public. Not that File was ever heard to com-

plain. He had been several years on the force, was full of wisdom as to the newspaper standing of the police, and felt and still feels, doubtless, that he'd had a fortunate escape. Not from the negro's bullets, but from the law.

Still another case occurs to me. Officer O'Farrell invaded a lumber yard on the East Side to arrest a tough gun-man named Commiskey. He found that unruly character surrounded by his gang. Commiskey objected to being collared, and was abetted by the gang. There was a fight, O'Farrell against the gang, and Commiskey as incident thereunto fired six bullets at O'Farrell. Every bullet went wild. O'Farrell had better luck; he shot Commiskey three times. None of the wounds was serious.

There were those newspapers, however. One of the big dailies instantly took O'Farrell's trail, demanding he be sent to Sing Sing. He was a "wretched would-be murderer!" Commiskey was a "poor, hard-working lad!" If it hadn't been for Father Curry it might have ended badly for O'Farrell. As it fell out, Father Curry standing his friend, he was reluctantly exonerated.

That "poor, hard-working lad" Commiskey, so wept over by the big daily, so sympathized with by the magistrate who heard the case, has killed six men since then. He is in the Tombs on a charge of murder at the present reading.

As was said in Gilbert's opera, a "policeman's lot is not a happy one." It wasn't much better, apparently, in 1863. Seymour ruled as governor, and it was a question in his mind as to just how popular killing rioters really was. He and some of the Aldermen went over the battlegrounds after the

fighting had ceased, and never failed to express unflagging sympathy for the "poor fellows" who'd been killed. To be sure, they didn't talk very loud, not loud enough to be heard by and encourage the rioters; but just loud enough to make a sympathetic record which could be referred to thereafter in case of electioneering need.

One example of the Gubernatorial-Aldermanic sympathy might be related, as showing what I mean. The war along Ninth Avenue was Wednesday; the men engaged had been fighting night and day for sixty hours. The war was still on, the enemy all about. After the battle among the Ninth Avenue barricades, the police, with the Zouaves, returned to their station. While there, waiting orders, Governor Seymour, accompanied by Alderman John Hardy, came up. Alderman Hardy addressed the captain in charge of the station.

"The Governor and myself were over on Ninth Avenue," he said, "and found a number of dead men who'd been killed in the fight. It's too bad!"

"I can't help that," said the Captain, manner deeply apologetic. "They were there behind their barricades, and we had orders to clear the street. If there were any innocent persons there, I greatly regret it. But what was I to do? Such persons had no business there; they should have got out of the way when told to disperse. As it stood, they gave encouragement to the rioters by their very presence."

Turning to the Governor the Captain asked, in tones even more apologetic and deferential:

"Have you any orders to give, sir?"

The Governor's cold reply was: "Take your orders from your official superiors."

He and Hardy turned on their heels and walked away, with never a syllable of praise for either Captain or men.

When the riots were ended and the police had won their fight, Governor Seymour issued a "congratulatory" proclamation, which talked politics after this wise:

> The riots were put down mainly by the energy, boldness and skill of the Police Department. In saying this I am certainly not influenced by prejudice, for the force politically, and in some degree personally, was unfriendly to myself. Indeed, in their reports they have not seen fit to make mention of any coöperation on my part with their efforts.

There have been many monuments erected in New York City, some of them I should say, too, with little reason. And yet, for all their riot week of fighting in 1863, when some were killed and scores on scores were wounded, no one was ever heard to propose a monument to the police.

Let me give you from the cold police records of that time a glimpse of what the force went through. This is from a police report, and speaks of but one small scrimmage. Says the report, telling of Sergeant McCredie and his forty-four men in a battle which they had with the mob at Third Avenue and Forty-third Street:

Stones rained in on them, their charges were fiercely resisted. Of the fourteen men from the Fifteenth Station, nine were badly wounded. Officer Bennett was knocked down three times before he ceased fighting. The last time he lay senseless. In this condition he was stripped to his shirt and savagely beaten. At last his seemingly dead body was taken by strangers to St. Luke's Hospital, and laid in the dead house. His grief-stricken wife, coming to claim the supposed dead body, fell on it in a transport of grief. But in a moment she sprang to her feet almost delirious with joy. Her husband's heart still beat. Restoratives were used; Bennett recovered, though only after three days of insensibility and a long illness.

Officer Travis of the same precinct was taken to St. Luke's. Being confronted by a fellow with a pistol, he had captured the pistol, but before he could use it he was knocked down and beaten almost to a jelly. His jaw and right hand were broken. The mob stripped him naked before they left him. Officer Phillips had a terrible fight for his life. He disarmed a rioter of a musket, but was stabbed twice with a knife by a woman, and would have been killed save for the interference of some men who seemed to have influence with the mob.

Sergeant McCredie was disabled by a blow across the wrist with a bar of iron. Officer Sutherland was knocked down with a brick and beaten insensible. Officers Mingay, Broughton,

and Gabriel were beaten with clubs until crippled, and Officer Tiernan after terrible usage only escaped with his life through the intercession of Mrs. Eagan, the wife of Contractor Eagan, to whom Chief Kennedy owed his life.

The off-platoon of the Fifteenth Precinct was sent to reinforce McCredie, and was also roughly handled. Officer Bodine was pounded into insensibility and stripped; Officer Gibbs was left for dead in the street; while Officers Foster and Disway were shockingly mangled. The men of the Twenty-eighth Precinct suffered. Sergeant Wolf had his head split open; Officer Seibert had an arm and Officer Holly a finger broken; while Officers Dapke, Polhamus, Bryan, Bassford, Knight, and Bolman were badly beaten about the head and body. Officer Wynn was beaten and stabbed; Officers Larne and Sanderson were beaten to the ground with clubs and stones, and their clothes stripped from them.

Rather stirring times I should call them. Yet what I've read is but the unvarnished report of ten minutes' fighting at Forty-third Street and Third Avenue. Compared with twenty other battles waged here and there during the five days of riot, it found official rank as nothing more important than a skirmish.

Among other small engagements during riot week was a mixup at Twenty-first Street and Second Avenue. While the fight was in progress, Colonel O'Brien, of the Eleventh New York Volunteers, arrived on the scene with fifty men and two howitzers.

The mob stampeded at sight of the big guns, but, after the police had marched off, their nerve returned and an attack was begun on the soldiers. The soldiers fired a volley in reply. Several people, including a woman, were wounded, and the crowd again became panic-stricken and scattered. O'Brien and his men marched away.

An hour later, no one knew for what reason, O'Brien returned to the spot alone. He was recognized and set upon by the rioters, hungry for vengeance. He was killed, and atrocities too terrible for description were committed upon his body. It was the awful plaything of a thousand white savages for several hours. It is related, also, that the wretched man lived through a long series of horrors, and only expired when subjected to the fury of some blood-hungry woman, late in the evening.

Prominent among what mob captains fought at Twenty-first Street and Second Avenue was a young man who evinced desperate courage. In the climax of the battle he was sent staggering by a blow from a policeman's club and fell upon the spikes of an area railing. One of the iron spikes caught him under his chin; there he swung impaled. When his corpse was taken down it was found that under the greasy overalls he wore a suit of fashionable clothing. No one came forward to identify him, albeit the papers advertised him most industriously as he lay on a slab in the morgue. He was doubtless some young spirit of the South who thought—assuming he lived long enough to have any thoughts on the subject—that he was giving his life for his country. There was nothing of the looter or free-

booter about him. His name and his home were mysteries never cleared up.

Time and again during the five fighting days squads of police sent upon one duty would be made to stop and fight a mob of roughs before they had proceeded half way to their original destination. No one found fault with them, however, unless it was the rioters themselves, since the orders were to attack all mobs wherever found. Therefore, when a company of police was on its way up Broadway to protect the Sixth Avenue car stables, and abandoned its line of march to save the house of Dr. Ward near Fifth Avenue and Forty-sixth Street, no one objected. Upon reaching the Ward home the one hundred officers were confronted by a howling mob of men and women, numbering 2,000. Some of them had guns and knives; a large number were armed with bludgeons.

The captain in police command shouted at the top of his voice, so that the rioters might hear him:

"Kill every man who has a gun or club! Double quick! Charge!"

The rioters had begun to be afraid of the police. At the captain's shout they fled like shadows. The police took no prisoners, but left a clubbed rioter where he fell. The number of fractured skulls was large. The roughs dispersed in all directions, despite the frenzied cries of their Amazon friends to:

"Stand up and give the coppers hell!"

Walling used to tell of how near he came to breaking the head of a relative. It was night, and Walling and his men had been called down to the City Hall, as an attack was promised upon the *Tribune*.

During the early morning hours one of his men came to him and said:

"Captain, I've seen a big, rough-looking fellow peeping through the window. He's done it three or four times."

"Next time he shows up, call me."

"There he is again."

Sure enough, the dim outline of a face could be seen pressed against the window pane.

Slipping out, Walling grabbed the man by the collar and raised his club. The club fell, but not on the man's head.

"Good heavens!" Walling exclaimed, as he looked at his captive; "what are you doing here?"

The man was Walling's brother Leonard. He was a ship carpenter and his fellow workmen had struck and wouldn't let him work.

"Well, if you can't work can you fight?" asked Walling.

"Try me!"

He was sworn in and given a club, and Walling had no occasion later to feel ashamed of his unexpected recruit. He served through the rest of the week, took an active part, and on one occasion narrowly escaped death.

Well, I've talked until I'm tired, and, I should say, until you're tired. Also, to keep on would be to tell over and over again the same old tale of blood. The ransack and robbery of Lord & Taylor's store was vastly like the robbery and ransack of Brooks & Company's store; the hanging of the negro in Clarkson Street was as the hanging of the negro in Thirty-third Street near Seventh Avenue; the blood spilled in Second Avenue was just as red

as the blood spilled in Ninth Avenue; while the sacking of Dr. Ward's home in Fifth Avenue in no wise differed materially from the sack of Judge Campbell's home in Tenth Avenue. It was a week of fire and death. The police fought the rioters in the streets, in the houses, on the roofs. In some instances, too, they threw them from the roofs into the street.

What was the aggregate blood and destruction? No one ever knew; no one ever will know. It was a great harvest for the undertakers, a greater for the doctors. In every hospital the wounded lay as thick as sardines in a box. According to the papers, which always insist on figures, the dead were 1,500, the wounded 8,000. All that, however, was guess work. The rioters dragged their wounded into a hundred hidden corners, fearing arrests; and who, under such circumstances, could pretend to make a count? Scores of those hidden wounded died. There's no getting at the figures. The number killed by the rioters was eighteen, eleven of whom were negroes. Scores of negroes were missing and never again heard of. Over one hundred buildings were burned, among them the Colored Orphan Asylum, two police stations, and three Provost Marshals' offices. About eighty stores and dwellings were sacked. The property loss was said to be $6,000,000.

Twenty of the rioters were indicted, nineteen convicted. I've heard say that the aggregate term of those nineteen imprisonments was about one hundred years. No one was hanged; no one so much as charged with murder. The riot once put down, everybody from Mayor Opdyke to Commissioner

Acton seemed of the opinion that what best fitted the situation was the proverb "Least said, soonest mended." And so, among 20,000 criminals who had committed 200,000 crimes, justice was regarded as satisfied when twenty indictments were found.

IV.

THE BOND STREET MYSTERY.

The murdered man was Dr. Harvey Burdell. His taking off owned nothing of romance, naught that was rose-colored. Everything that led to it was sordid, unclean, half untellable. The murder itself was crudest butchery, a scrambling, sanguinary homicide, the kind that upsets furniture and covers walls and carpets with spurting, spouting, flowing blood. Which was the very reason, perhaps, why the city rang with it, and Bond Street in front of No. 31 was choked by morbid thousands, who refused and resisted the best counsel of the police—as often as otherwise it took the shape of a night-stick in the small of the back—to disperse.

No one was punished. While the weeping poetical Snodgrass was held captive in the Tombs, while Eckels was indicted and Madam Cunningham was tried, there came no convictions. Chief Matzell of the police claimed to know the murderers, and possibly he did. One often knows much more than one can prove. What's sure in the premises, however, is that no one went to Sing Sing or was hanged.

Old men who recall the winter of 1856 and '57 will tell you of its rigors and a thermometer 28 degrees below zero. But this sharpness was in

December. January 28th of that winter was a raw, tempestuous day, with every sky-born promise of a storm of rain.

The Lelands had uplifted hotel-keeping to the dignity of art. Their new Metropolitan at Broadway and Prince Street, opened to thousands but the year before, was reckoned the best hotel in the world. The Astor, City, Lovejoy's, every other New York hostelry in truth, had been forced to take off its hat to the new Metropolitan. To dine there was the thing to do, and all who had money—and some who hadn't—did.

The afternoon, aided by a low and leaden sky, was—albeit the great clock down the street had tolled but three—fast merging into night. The café of the Metropolitan had been set blazing with many gas jets, and scores of guests flying from the weather were beginning to gather about the tables. In a Broadway corner, somewhat aloof, sat Mayor Fernando Wood and James W. Nye, their heads together in low-voiced conversation. And yet you are not to misunderstand. Neither Nye nor Wood in the remotest is to be connected with the murder so near at hand. They have come together to discuss Burdell, however, and by listening and looking over their shoulders you will get a clearer notion of Burdell than is to be gained from any other source or in any other way.

Wood was a hard-faced personality. His eyes were hard, his high cheekbones were hard, his mouth was hard—that is, what little of it lived unconcealed by the hard mustache, which might have looked well as part of the facial makeup of a barkeeper, but was not a mayoralty mustache. Nye,

over opposite, was keen, slim, hawkish, but wore, withal, an expression of kindly honesty.

Nye and Wood were warmest friends. A year later that friendship would lapse and, as one of the new police commissioners, Nye would procure a warrant from Recorder Smith for the arrest of Mayor Wood. Also, he would be forced finally to march the Seventh Regiment—General Sanford in command—with fixed bayonets and thirty rounds of ball cartridges down to the City Hall and in under the mayoralty windows to serve it. As showing, likewise, how the wheels go round, years later Nye was to be senator from Nevada, while Wood would sit in the House as a representative from New York. Which last shows that you cannot keep a good—or bad—man down.

The waiter vanishes in quest of drinks.

"What's your argument, Nye," asks Wood, "for having this Burdell looked up?"

"It's a business proposition; the matter of a gold mine. Burdell wants to come in with me, and declares himself ready to put down $50,000 on the venture. But I don't like his atmosphere, don't like the yarns they tell about him, don't like the man himself, in fact."

"Still it's a case of money, isn't it?"

"Not altogether. I'd be in Nevada, he here in New York, with all the power in the world to rob and swindle me. I can't afford to take chances, and so I asked you to have him counted up. He's to meet me here at 5:30 o'clock."

"Matzell, of the police, to whom I turned the business over, will arrive before that hour."

While awaiting the advent of Officer Matzell,

with his word about Burdell, suppose you, who read this, look about the room. It should be as good a way of killing time as any other.

Over near a window are Bayard Taylor, the poet Stoddard, and Boker, who wrote *Francesca da Rimini,* which Miss Julia Dean is playing at Wallack's. Beyond them is Edmund Clarence Stedman, with lawyers David Dudley Field and Charles O'Connor. The second table from the door is claimed by Sparrow Grass Cozzens and Fitz-James O'Brien, who have adjourned from Pfaff's beer-cellar, near Leonard street, where, under the Broadway sidewalk, they were quaffing lager and getting up quite an appetite on onions, pretzels and cheese. They have with them Walt Whitman, who, silent and wholly wanting in that barbaric yawp, is distinguished by what William Dean Howells, ever slopping over in his phrase-making, will one day speak of as his "branching beard and Jovian hair."

The theaters have a place in the Leland café, and the dark, thin-faced, scimiter-nosed Jewish woman, who coughs a great deal, is the French actress, Rachel. She has been playing at the New York Theater, and caught a cold on that over-ventilated stage, as open to the winds as a sawmill, which will kill her within the year. With her are the singer, Brignoli, and that man of orchestras, Theodore Thomas.

The sepulchral Herman Melville enters, and saunters funereally across to Taylor, Stoddard and Boker.

Rachel and Brignoli are talking of the operatic failure at the Academy of Music under Manager Payne. They speak, too, of Mrs. Wood's success at Wallack's, and of Burton's reopening the old Laura

Keene Theater, in Broadway across from Bond. Thomas mentions the accident at Niblo's the other evening, when Pauline Genet, of the Revel troupe, was so savagely burned.

Speculation enlists O'Connor, Stedman and Field, and Field is prophesying impending money troubles, which prophecies the panic six months away will bear largely out.

"There's going to be a smash," says Field. "The world is crazy over speculation. Everything is being exploited, gold mines, cotton lands, Long Island lots, guano. Even chickens have become the basis of swindle, and you hear of fools paying $500 a pair for Shanghaies, Chittagongas, Creoles and Dorkings. It's bound to end in smash."

O'Connor wants to talk about the New York Yacht Club, and its initial regatta at Glen Cove last summer. Field is not to be deflected; he refuses to be comforted with yachts, and sticks to his Dorkings.

O'Brien, over at his table, is speaking of the steamboat *Pacific,* of the Collins line, which cleared from Liverpool four weeks ago, and has not been heard from since.

"My friend Brown, from Cork, was on her," says O'Brien. "It's a horse to a hen he's under the Atlantic now."

"No doubt of it," declares Sparrow Grass. "The *Persia,* of the Cunards, which left Liverpool the same day, reports great ice fields. The *Pacific* had a yellow-pine bottom, and was without collision bulkheads. It's sure she stove herself on the ice; and, that true, she went to the bottom like an anvil."

"How many people were aboard?" asks Whitman, voice like the mellow notes of a bell.

"Passengers and sailors, one hundred and ninety-one."

"It's all up with poor Brown, I think," says O'Brien sadly.

O'Brien is right; it is all up with "poor Brown" and those others. Coffined in the *Pacific,* the ocean has piled itself above them.

Stanwix Hall lights up across the street, and reminds Nye of the recent killing of Poole by Baker and his gang.

"And to think," says Nye, "that Poole should live fourteen days with a bullet imbedded in his heart!"

Wrapped to the chin, tall, thin, sickly, old at fifty-one, Nathaniel Willis comes in from Broadway, and pauses a moment with Taylor. He is in from his *Idlewild* home on the Hudson to see about the publication of his one novel and greatest failure, *Paul Fane,* and has taken the day off from his revises to drive out to *Sunnyside* and visit old Washington Irving.

"There was no *Sunnyside* about it to-day, I can tell you," he says. "Isn't it wretched weather?"

"And Irving?" asks Taylor.

"About so-so. Still, he does better than Fenimore Cooper, who was six years younger and died six years ago."

"You weren't in to see Thackeray the other day?" This from Stoddard.

"No," replies Willis. "Some of the boys at the Century Club tell me he eats, drinks and jokes as brilliantly as ever."

"Your partner, Morris, gave him a *Home Journal*

luncheon. The oysters were purposely the biggest Dorland could send up from Fulton Market. 'What do you think of 'em, Thackeray?' said Morris. 'Think of 'em?' returned Thackeray, holding one the size of your two hands suspended from his fork —'think of 'em? Why, I think they're perfect beasts of oysters.' "

Willis laughs, since Stoddard seems to expect it of him, and then adds:

" 'Not so bad!' as that Grecian fellow whom Plutarch mentions remarked, when he missed the dog with the rock, but hit his mother-in-law. However, I must get to my room. I'm chilled through."

"What do you think of him?" asks Taylor, of Stoddard, glancing after Willis' retreating back.

"Man, I'm bound to love him! I sent him one of my early poems—it was while I was working in that awful stove-foundry—and asked his opinion. He wrote me a kind and tolerant letter, used the word 'genius,' and mentioned Byron, Keats and Shelley in the same sentence with myself. I'm bound to love him."

Taylor shrugs his shoulders. "Well, your present desk in the Custom House is easier than making stove-castings."

"It's $3 a day, which is $1.75 easier than stove-castings. I appreciate that $3 a day from Uncle Sam. I love Hawthorne, who got it for me, revere the name of Franklin Pierce, who gave me the job. Literature and oat-meal and stove-castings are all very well, but I like an occasional beer and beef stew."

Taylor shakes his head quizzically. "And yet, Dick, you wrote verses more tuneful on stove-cast-

ings. Goldsmith was right. Genius should be fed, but not fattened, like hunting dogs and running horses."

"Coming back to Willis," says Boker, "his little sister, Fannie Fern, gives him a fearful scorching in her new book, *Ruth Hall.* Willis is the heartless puppy, 'Hyacinth.'"

"Yes"—from Stoddard—"Fannie wants people to believe that Willis wouldn't help her when she was hard up, wouldn't take her stories for the *Home Journal.* All bosh! Willis quarrelled with her over her marriage to Parton, the biography maker."

"You've been up to Cambridge?" put in Melville, glancing gloomily across at Taylor. "You've seen Lowell and the *Atlantic Monthly* crowd?"

Taylor is all animation. He *has* been up to see Lowell and the *Atlantic* crowd; and off he runs like a very mill-race of admiration.

"Lowell is the best of them all," he says.

Stoddard and Taylor lock horns of adoration over Lowell's work, Stoddard sticking for his "Shepherd King Admetus," and Taylor preferring his "Minstrel Song in Ella."

"By the way, I've brought back a treasure," exclaims Taylor; "it's a copy of Mrs. Lowell's poems. They were privately printed, you know."

"May I see it?" asks the sepulchral Melville.

"It's in my desk at the *Tribune* office. There's one poem in it, 'An Opium Fantasy,' which struck me greatly. It runs like this:

> Oh, it is but a little owl,
> The smallest of its kin,
> That sits beneath the midnight cowl
> And makes its airy din."

" 'And makes its airy din,' " repeats the lugubrious Melville, more sepulchral than ever; "I can understand why it was printed privately."

Melville, soured by several failures, is inclined to cynicism in the presence of the poems of others. He has not yet written, you must remember, his "Sheridan's Ride," which will begin "Oh, shoe the horse with silver which bore him to the fray."

Taylor pays the bill, and he and the others depart for Stoddard's house in Third street, where the Echo Club is to have an evening.

"Who's the melancholy Dane?" demands O'Brien, as the trio go talking themselves into Broadway.

"That's Melville," says Sparrow Grass. "Thought you knew him. Works with Dick Stoddard in the Custom House."

"Never heard of him," returns the case-hardened O'Brien.

"Never heard of him? You amaze me! Why, he's written 'Typee' and 'Omoo' and 'Mardi.' Stoddard insists that, next to Emerson, he's the great American mystic."

O'Brien receives this with a Celtic grunt. "He looks as if he were," says he.

But you are becoming impatient. You wonder what all this chit-chat, literary and otherwise, has to do with the murder of Dr. Harvey Burdell, in Bond street, which bloodshed, by Fate's schedule, is less than six hours away. The single sole excuse for unloading it upon you, as has been explained, is that Matzell, for whom you, with Wood and Nye, are waiting, hasn't as yet put in his appearance.

There comes Matzell now; the broad, thick, stocky personage, with the Mulberry street expres-

sion of face. Wood greets him with the off-hand manner practiced by New York mayors when they deal with members of the force.

"You're here at last, Matzell. This is Mr. Nye. Sit down; order yourself a drink, and tell us what you've learned about this Dr. Burdell."

"It's Captain Ackerman's report, Mr. Mayor," and Matzell fishes a document from his pocket. "Ackerman's the best man at the Central Office. It took him some time, though, to look this party up; for, aside from several days in the city here, he had to go to Philadelphia and Sacketts Harbor, as well as make a thorough ransack of Herkimer County."

"Read the report. There's no one near enough to overhear."

"Very well, Mr. Mayor. As I've said, it's Ackerman's report; though I've brushed it up in spots where I thought it needed it."

Matzell smiles in a self-satisfied way; for he, himself, is not without literary ambitions, and will print a "Thieves' Dictionary" next year.

"This is what Ackerman reports, Mr. Mayor. I think you'll find he covers your man very fully."

Matzell coughs, clears his voice, and begins:

CENTRAL OFFICE,
New York City, Jan. 1, 1857.

GEO. W. MATZELL,
Dept. Sup'd't. of Police.

Sir:

Carrying out your order concerning Dr. Harvey Burdell, I respectfully submit the following:

Dr. Harvey Burdell was born in Herkimer County, in or near Herkimer Village, New York, in 1811. His father died before he knew him. While yet a child his mother moved to Sacketts Harbor. With her he lived until he was thirteen years old. Then his mother turned him into the street, and forbade him ever to return to the house. This was her miserly meanness, and not on account of anything the boy did.

The boy thus turned forth upon the world was determined, according to his own words, to become great, to gain money. Without education or means, he looked around to see what course he should take. He went to a neighboring country town, Rome, and engaged himself as a compositor. He remained there some years, and either did not like the business, or had better inducements held out to him in this city, for, before his seventeenth year, we find him here studying dentistry in his brother John's office, which was located on the northeast corner of Chambers Street and Broadway. He was of studious habits and made good use of his time. Forming a taste for the medical profession, he went to Philadelphia when about twenty-one years old, and pursued a regular course of study in the Pennsylvania Medical College. He partly supported himself during his studies by the practice of dentistry, and was partially maintained by his brother, John Burdell, of this city.

Having graduated in the college at Philadelphia, he returned to this city and entered his

brother's office, learning and practicing dentistry during the day and practicing medicine at night. He often expressed himself ready to do anything to make money. John Burdell, soon after marrying, Harvey lived in the house with him as a member of his family. Their dwelling house was in the same building with and directly over the dental office. John owned two or three houses on the corner of Chambers Street and Broadway at that time. Harvey Burdell, after being in his brother's office a short time, opened an office for himself in the house of his brother, and next door to his office. They kept their offices there a number of years, doing a fair business, Harvey living most of the time with his brother.

Harvey Burdell is a man of strong feelings and passions, and he frequently quarreled with his brother. Also, he was very penurious, even miserly, in his transactions, and very cheap in his dress and habits. With these traits strongly marked, he began also to manifest a very licentious and loose character, and had a great many difficulties in consequence. His name is found on the books at the Tombs, and in the law courts, and he has been known to the police for many years. While living in Chambers Street he was sued by a disreputable woman for money alleged to be due her.

In 1835 Harvey Burdell was engaged to be married to a respectable young lady, Miss Lucy Spawl, of 30 Beekman, but her father peremptorily refused to permit the marriage.

At which Burdell got angry, struck the father and gave him a black eye. Subsequently he was engaged to be married to Miss Matilda Gibson, the adopted daughter of Mr. and Mrs. J. G. Gibson, 22 Washington Street. The day and hour were set, the wedding party assembled, the bridesmaids and the bridegroom were present. The clergyman was about to perform the ceremony, when Burdell drew Mr. Gibson aside and told him that before he married the girl he wanted a check for $20,000. Mr. Gibson told him that if he was marrying his daughter for her money he should have neither. The wedding was broken up. Subsequently Miss Gibson married Mr. Daniel Kirby, who was to have been a groomsman to Burdell on the former occasion. Kirby received a check of $20,000 from Mr. Gibson. The check on the previous occasion had been made out for Burdell, and would have been given him immediately after the marriage ceremony was performed. When Burdell heard about it, he became greatly excited, raved, and swore that now he would never get married.

This that follows shows the miserly character of Dr. Burdell. He had a very curious servant girl—she died a year ago—called Biddy, who was with him five years at 362 Broadway and two years at 31 Bond Street. During the whole of that time Biddy never went to bed and never had a bed to go to. He never furnished her with a bed, or anything to sleep upon. She was poorly clad, and

hardly ever had anything to wear on her feet. He never provided her with anything to eat, but gave her a small weekly salary, upon which she supported herself, buying her food at the groceries. Biddy could speak four languages fluently, English, French, German and Spanish. She had a passion for studying and learning languages. She was an Irish girl, and a most faithful servant. Burdell was quarrelsome, and had many fights. Biddy frequently saved him from being beaten; for, if a fight occurred, she would run between him and his assailant, and stand there till she stopped the fighting. She slept sitting on a stool in the kitchen below the hall door, so if any person rang the bell or entered the house at any time of day or night she would know it and attend to them. Yet, for all these services, she barely received enough pay for her subsistence.

Burdell, as mentioned, is a loose character, and has always been and now is surrounded by such. He has generally let his house to persons of bad character. Mrs. Totten occupied his house in Broadway for some time, and he, as usual, had trouble with her, and a lawsuit.

About three years ago Mr. Bulin, whose wife is half-sister to Dr. Burdell, took the house No. 31 Bond Street. They quarreled, and the Bulins moved out and have never spoken to Burdell since.

One year ago Burdell employed his brother, James, to build some houses for him in Herkimer County, and agreed to give him a certain interest in them. They quarreled, and the

thing ended in a lawsuit. Burdell also has a lawsuit with Benjamin F. Maguire, a relative, to whom he sold the office and tools of the late John Burdell, at Union Place.

There was Mrs. Laura Von Kipper, a wealthy widow lady, living at 142 South Fifth Avenue, who used to visit Dr. Burdell almost every day for two years. On one occasion she called on him in the afternoon, to go to Niblo's Theater with him in the evening. On the way to the theater she said she would like something to eat, and entered Thompson's and called for what she wanted. Burdell refused to call for anything for himself, saying he had been to tea. Mrs. Von Kipper told him to order something and be decent. He refused, when she ordered for him. He would not eat; and, on leaving, would neither pay for himself nor for her.

Burdell is represented by those intimately acquainted with him to be a very peculiar man. He hates children, and never had any pets in his life except some guinea-pigs. He is a member of the New York Historical and Statistical Society, and a director in the Artisans' Bank of New York. He was one of the principal parties engaged in getting up the bank, and took $25,000 worth of its stock. He has about $10,000 deposited in it now, and has money in the Broadway Bank. He owns the house and lot No. 31 Bond Street, worth $25,000; the house and lot No. 2 Bond Street, worth $30,000, besides property in Shrewsbury, N. J., and real estate in Herkimer

County, N. Y., and other property worth at least $100,000.

There were five brothers in the Burdell family. Harvey and John were both dentists. John is dead. There is one brother living in Ohio; another, who formerly lived in Michigan, is now in Indiana. The fifth, formerly of Valparaiso, South America, is now in the lunatic asylum on Blackwell's Island.

When Dr. Burdell bought his present home, No. 31 Bond Street, he occupied, as he does still, the second floor. The rest of the house he has always let out. Mrs. Conway first rented it, in 1853; Mr. and Mrs. Bulin next; Mrs. Cunningham then took it for a year. After which a Mrs. Jones occupied it a few months, when Mrs. Cunningham again took charge of it on the first of May, and still occupies it.

The reputation of Dr. Burdell in business is that he will lie, cheat and swindle; that he is utterly unreliable, and would rob anyone who gave him the chance.

Matzell having finished, Wood looks at Nye: "What do you think?"

"He's not the man for me," says Nye; "not the partner I'm looking for. Wood, you've done me a great good turn. Burdell will be here in half an hour, and I'll make a short finish with him. I am much indebted to both you and Chief Matzell."

"This Burdell of yours, Jim, *does* seem a good sort to steer clear of," and Wood, with Officer Matzell, prepare to depart.

Wood and Matzell gone Nye calls for the *Evening Post,* which has just come in, and immerses himself in an editorial beginning "How long shall Tammany rule and rob New York?" Not that Nye possesses either a personal or a political interest. He himself is a Republican of so ebon a hue that, before five years have passed, Lincoln will name him governor of Nevada. Also, Mark Twain and his brother, Orion, will accompany him to Carson City. Later, as was remarked, when that ebullient commonwealth, boiling and bubbling in its territorial pot, has overflowed into statehood, Nye will be sent to Washington as one of her senators.

The clock pointed to 5:30 when Nye threw down his paper and greeted Dr. Burdell. There was little about Burdell to impress one in his favor. Bull-necked, full-chested, coarse, the brute was dominant in all he looked and said and thought and did. He had, too, a hoarse, unnatural voice, like the deep croakings of a bullfrog. Also, like a bullfrog, his blood was cold and ungenerous. Forty-six years old, for all his thick neck and girthy belt line, he seemed five years younger.

Burdell sat down at Nye's table with the easy confidence which belonged with one worth $500,000, in a day when $500,000 was not a fortune to be laughed at. Once seated, it didn't take Nye ten minutes to tell Burdell that they couldn't deal. For the coming governor and senator of Nevada possessed a genius for the direct.

Burdell was inclined to be angry. He felt that his half million of money should be accepted as indubitable proof that his moral and commercial

standing was of the highest. Nye disagreed with him. He knew that money and mud possess so much in common that both usually are found in lowest places. Moreover, our greatest scoundrels are our richest men.

Nye left, his business with Burdell being ended. Burdell remained to look over the papers and eat his dinner. Even though the Lelands' dinner charge should prove a shock to his miserly pocket-book, it was only once in a way.

As exhibited in Captain Ackerman's report to Superintendent Matzell, Burdell's house at 31 Bond Street had been let by him to Mrs. Cunningham. Since she will be tried for murdering Burdell, it is important to have her picture. And, since one drawn at that time should be truer in detail and outline than any that can be made to-day, you might better take it from the *Herald,* as printed just prior to her trial.

Says the *Herald:*

> Her maiden name was Emma Augusta Hempstead. Her parents were Christopher and Sarah Hempstead, of Brooklyn. Her father was a rope-maker by profession, and moved from New York to Brooklyn about thirty-five years ago. He was a very religious man, a member of the Methodist Church, and died reputed rich.
>
> Mrs. Cunningham was born in the City of New York, on the east side of the town. She became acquainted with George Cunningham, and had her first child in her father's house, at 33 Classon Avenue, Brooklyn, previous to

his death, which took place in 1836 or '37. Afterwards, she lived in New York in splendid style, until her husband failed in business, when she again moved to Brooklyn.

Mr. Cunningham went to California with the intention of getting into business there, and sending for his family. He, however, was unsuccessful, returned, did not do much of anything afterwards, and finally died in Flatbush, at or near the residence of the brother of Mrs. C. There was an insurance on his life of $10,000, which Mrs. Cunningham received, and on which she lived after the death of her husband.

It has been stated that Mrs. Cunningham was the mother of Miss Van Winkle, who, with her lover, Mr. Caldwell, committed suicide in Troy. It was not so. They were cousins; the father of Miss Van Winkle was the brother of the mother of Mrs. Cunningham.

We have a letter in relation to Mrs. Cunningham, but it is not fit for publication. It gives her a very bad character, and states that she was not the lawful wife of Cunningham. It will be noticed that this point was touched upon in the preliminary evidence before the coroner. The evidence of Mr. Stephens and the servant girl, Mary, goes to show a very bad state of feeling of late between Mrs. Cunningham and Dr. Burdell, but whether their quarrels formed a sufficient motive for the commission of a capital crime has yet to be seen.

It is stated that Mrs. Cunningham had been the mistress of Eckels for four years, during

which time she has passed by several names. It seems quite probable that the difficulties in the household were caused by Mrs. Cunningham's reputed intrigues with Dr. Burdell and Mr. Eckels at the same time. It appears that this bitterness of feeling had latterly widened to an entire separation, so that Dr. Burdell's house was made a pandemonium to him.

Mrs. Cunningham is described by those who know her as a well-bred person of agreeable manners. It appears that she has lately been somewhat straitened for money. We hear that not long ago she gave a large party. Everybody that she knew or had even met was invited, and there was a great crowd. There was plenty of champagne, music and dancing. Peteler, the confectioner, furnished the supper, everything being sent in. In a few days Peteler sent in his bill, amounting to about $200, which she did not pay. A short time afterwards, Peteler had a personal interview with Mrs. Cunningham, when she stated that she could not pay the bill, but would give him a note of hand for the amount, to fall due about the 9th of February, at which time she stated she would have "plenty of money." This is a curious fact, and, as it may have a bearing on the case, Mr. Peteler has been summoned to give his evidence.

While Burdell was sitting over his dinner, two blocks up Broadway, at 31 Bond, Mrs. Cunningham was having a talk with Hannah Conlan, cook.

"Who was that woman, Hannah, you were showing through the house to-day?"

"That was the lady who is going to take the house."

"Then the doctor is going to leave it?"

"Yes, ma'am."

"And when does the woman take possession?"

"The first of May."

"The first of May? He had better be careful: he may not live to sign the papers."

Mrs. Cunningham climbed to the attic bedroom of the young poetical Snodgrass.

Since the poetical Snodgrass has his weak and faltering part herein, and was of sufficient murderous merit in the eyes of Chief Matzell to be locked up in the Tombs, the following is taken from the *Herald,* of May, 1857, as his description:

> His name, as he gives it, is George V. Snodgrass. This young man seems to have been a sort of *cavalier servente* to the Demoiselles Cunningham. He has been pretty well known about the saloons in the Fifteenth Ward, and has generally borne the reputation of being effeminate, harmless and good-natured. In his room—the northeast room of the attic—his clothes were hanging upon the wall, and a couple of bronze statuettes stood on the drawers. There was no wash bowl. The bed was in a very topsy-turvy state—bolster and pillows being mixed up with feminine underclothes in the greatest confusion. The drawers—all but one—were filled with all sorts of knick-knacks—articles of feminine

wearing apparel. On a piece of paper were these lines, traced in a delicate hand:

What would the rose, with all her pride be worth,
Were there no sun to call her brightness forth?
Maidens unloved, like flowers in darkness thrown,
Want but that light which comes from love alone.

There was also a little lulu book, entitled, *The Boat Builder,* published in 1852. The leaf containing the 79th and 80th pages was cut out; blood was visible on the edges of the leaves not cut out; the two leaves containing the 91st to 94th pages were torn out; the 95th was smeared with blood.

Mrs. Cunningham's talk with Snodgrass lasted ten minutes. No one overheard it, although Mary, the housemaid, put her ears to the utmost tension so to do. Mary, housemaid fashion, was in love with the delicately feminine Snodgrass, and listened in a green-eyed spirit of jealousy. All she could surely say, however, was that, after a ten-minute talk in the attic, in which Mrs. Cunningham did all of the talking, Snodgrass, crying bitterly, sobbed his way down stairs, exclaiming through his handkerchief:

"I cannot do it! I cannot do it!"

To which Mrs. Cunningham responded in a commanding, even threatening, tone:

"You must act as I say!"

Snodgrass wept himself into the gathering darkness of Bond Street, and Mrs. Cunningham sought Eckels, whom she found—according to Mary, the maid—in the dining-room, growling to be fed.

This is what Mr. Bennett's *Herald,* of May, 1857, had to say of Eckels:

> Everything, so far, bears against this person. It appears that he was on the most intimate terms with Mrs. Cunningham. At the big party she gave he was *major domo.* He is a man of powerful frame and of middle height. It is stated that, when he left the house on the morning after the murder, he was followed by Mrs. Cunningham, and was seen giving her money. Eckels has frequently stated that he had a very expensive mistress.

Mary, the valuable housemaid, tried all she knew to hear what Mrs. Cunningham said to Eckels. It was curiosity, this time, not jealousy. Pretending business with the table, she bustled in and out, all ears and eagerness. The best, however, she could show was that she overheard Eckels say:

"But he's a strong man."

To which Mrs. Cunningham retorted:

"If you have the courage to grapple with him I'll do the rest."

Burdell sat in the Metropolitan Café until 10 o'clock, talking with one acquaintance and another whom the storm, then lashing Broadway in a perfect downpour, had driven inside. There were a dozen of these; for he was widely known, even if not widely respected. He strolled across the room, at one pinch, for a boisterous, laughing word or two with Lawyer Field.

About 10 o'clock Burdell pushed forth into the wind and the rain—it was storming cats and dogs

—and headed for his home, at 31 Bond. Mr. Messenger, a timid gentleman, living at 36 Bond, had opened his own front door to have a look at the weather. He declared that, somewhere between 10 and 10:30 o'clock, he saw Burdell letting himself into number 31, diagonally over the way. He recognized Burdell in the storm-tossed flicker of the street lamp.

Mr. Messenger, in terror of the storm, closed his door, and was on the way to his room. He was halfway up the stair, as he reported, when loud and high rose the cry:

"Murder!"

There was but the one cry, and then, save for the windy uproar of the storm, slamming shutters, rattling windows, all fell still.

The morning broke full of sunshine. There was a cold, dry suggestion of frost in the air, which glazed with ice the puddles wherewith the downpour of the night before had polka-dotted Bond street.

Seven o'clock!

Still dark, or nearly so. Bond street and nearby Broadway were as empty as a politician's promise. A shrill whistle cut the morning stillness like the note of a mocking-bird, and a lad of twelve swung round the Broadway corner into Bond. The boy was Emil Albert, who, since Biddy died, lighted Burdell's fire, cleaned his boots, ran his errands, and waited upon him generally.

Emil, still whistling, let himself into 31 Bond with a pass-key. He went to the basement for a bucket of coal, and carried it to the door of Burdell. Unlocking the door, he was able to open it

only a few inches. Something heavy was in the way.

Emil pushed doughtily, and finally squeezed through into the room. The next moment, pale as a candle, and shrieking at the top of his bent, he ran back into the hall.

Mrs. Cunningham, coolly at breakfast with Eckels and Snodgrass, heard the boy's shrieks. By word of Hannah Conlan, cook, Mrs. Cunningham ate heartily that morning of sausages and buckwheat cakes, as also did Eckels. The lady-like Snodgrass, possibly because he was a poet and found something vulgarly incongruous in sausages and sonnets, professed to have no appetite.

Moved by the shrieks of Emil, and followed by Eckels—Snodgrass, white as paper, remaining behind—Mrs. Cunningham sought the room of Burdell. It called for the powerful shoulder of Eckels to so far force the door as to permit the entrance of her rather buxom person. Eckels followed.

Burdell, clad in his street clothes, was lying dead on the floor. There was blood everywhere—on the overturned furniture, on the bespattered walls, on the door, where a spurting jet had left its red splashes six feet above the floor. There was blood in the hall. One red trail went upstairs; another red trail went downstairs. Blood everywhere; it was like a shambles.

Coroner Perry came and impanelled a jury.

There was the mark of a drawn cord about the dead throat of Burdell. Also, the coroner counted fifteen stabs in the right side and breast, made evidently by a long, slim, keen dagger, driven by a strong, unshaking hand. The physicians sum-

moned declared that any one of the fifteen stabs would have caused death. They were of the opinion, too, since the stabs were on the right side, that the murderer was left-handed.

Mr. Messenger came twitteringly and tremblingly across from number 36 to tell of seeing Burdell letting himself in the evening before, and of that subsequent cry of "Murder!"

Coroner Perry called Mary, the housemaid.

"Is there anyone in this house who is left-handed?"

"Yes, sir; Mrs. Cunningham is left-handed."

Mrs. Cunningham and Eckels declared that they knew nothing, had heard nothing. True, Burdell might have cried "Murder!" True, the furniture had been tossed about and broken, in Burdell's battle with his murderers. The roar of the raging storm, however, would have swallowed up all that. They had heard nothing.

Snodgrass couldn't testify, being too agitated and sob-shaken.

No cord was discovered, no dagger found. There were no signs of blood about Mrs. Cunningham, or Eckels, or Snodgrass, or upon any of their belongings, unless you care to count the lulu book.

The jury found that Burdell was murdered under circumstances which justified the apprehension of Mrs. Cunningham, Eckels and Snodgrass, and Chief Matzell, by order of Coroner Perry, took them to the Tombs. While the three lay under lock and key, Matzell, with his detectives, combed high and low for evidence. Nothing was uncovered beyond what Coroner Perry had already brought out.

The grand jury convened, and the three suspects were indicted. Mrs. Cunningham and Eckels pleaded "Not guilty" with all the emphasis and coolness in life. The tremulous Snodgrass, lip a-quiver, was also understood to bleat "Not guilty" upon being brought to the bar of the court.

The great John Graham was retained by Eckels, while Henry L. Clinton, Esq., was called to the defense of Mrs. Cunningham. Snodgrass, whose constant tears quite swamped the Tombs, had no other advocate than his lamentations.

Mrs. Cunningham demanded a separate trial.

The "People against Cunningham" was called before Recorder Smith and a jury, May 6, 1857. The murder was three months old. There were evidence and eloquence, three days of it. The jury, out one hour and thirty minutes, brought in a verdict of:

"Not guilty!"

Eckels and Snodgrass, the latter still in deepest grief, were set free. Mrs. Cunningham went back to 31 Bond, and with her went Eckels and the sorrow-bitten Snodgrass.

When the jury returned that verdict of "Not guilty," Clinton, counsel for the defendant, arose and addressed the court. He spoke coldly, and to extraordinary effect. He said that he wished to have it spread on the records of the court that, the trial being ended and the defendant discharged from custody, he, Clinton, was no longer attorney for Mrs. Cunningham.

The spectators stared, Recorder Smith arched his brows judicially, but the entry was made. Many wondered why Counselor Clinton should de-

sire, on the back of a great victory, so public a severance of his professional relations with Mrs. Cunningham. Hadn't she paid him? Or what was the trouble? Mrs. Cunningham offered no solution, no one cared to ask Counselor Clinton to read the riddle, and mankind, unassisted, was allowed to fall back upon its blind inalienable right to guess.

Deep ones held later that what follows made up the reason for the unaccountable request preferred by Counselor Clinton. Mrs. Cunningham was held in the Tombs from February 1 till the morning of the 10th of May. The Tombs matron was Mrs. Foster. About the middle of April Mrs. Cunningham sent for Mrs. Foster and confided to that estimable lady that she, Mrs. Cunningham, was in an interesting, not to say a delicate, condition.

As justification she exhibited a marriage license, which recorded that, upon October 28th, 1856, three months before Burdell was murdered, the Reverend Doctor Marvine had joined in holy wedlock "Harvey Burdell and Emma Augusta Cunningham." Mrs. Cunningham explained that she and Burdell had decided to keep their marriage a secret for a space; that she would not offer evidence of it at the trial, as to do so might prejudice her case; that she was only now confiding the secret to Mrs. Foster through fear that her condition might become noticeable. Mrs. Cunningham wound up by imploring Mrs. Foster not to speak of it to anyone; and this last she left to Mrs. Foster upon her honor as a lady and a matron of the Tombs. Mrs. Foster consented to respect the confidences of Mrs. Cunningham, at least until the end of her approaching trial.

Trial over, Mrs. Cunningham had no sooner made the short journey from the Tombs to 31 Bond, than she began calling herself "Mrs. Cunningham-Burdell." Also, she gave her marriage certificate, attested by the pious hand of the Reverend Marvine, to the press, and crowned the marvel of it all by blushingly intimating that she expected a most tender evidence of the love which she and Burdell had entertained for one another. The last would not be later than the 28th of July. Which was all exceedingly accurate and interesting.

No gentleman worth $500,000 ever died without heirs. When Mrs. Cunningham began calling herself "Cunningham-Burdell" and giving out copies of her marriage papers, the several heirs of the murdered man sat up and took indignant notice. As the murdered man's widow, Mrs. Cunningham-Burdell would shear away one-third of their inheritance. When stout of mien and stouter still of form Mrs. Cunningham-Burdell, making a bad matter worse, commenced talking of a coming July baby, those hopeful Burdell claimants gnashed their enraged teeth. Should a Burdell child be born they would take nothing. They spoke harshly of Mrs. Cunningham-Burdell, and called her chosen names.

In a frenzy those Burdell heirs sought the Reverend Marvine. That impeccable divine gave testimony that upon the October evening chronicled he had married Mrs. Cunningham to Somebody. The Reverend Marvine, never having met Burdell, could not say surely whether that Somebody were Burdell or no. All he, the Reverend Marvine, knew was that the Somebody claimed to be Burdell.

The Reverend Marvine was put face to face with

Eckels. No, Eckels was not the man. Snodgrass was dragged whimperingly before him, but neither was the 18-year-old Snodgrass the October bridegroom. The Reverend Marvine described the individual who took Mrs. Cunningham for better or for worse as "a stout, florid, coarse personage, of middle age." There the Reverend Marvine was allowed to rest. Those who should know best declared that it was much too late to talk of digging up the dead Burdell for the Reverend Marvine's identifying inspection.

Mrs. Cunningham-Burdell, at her 31 Bond street home, continued to grow in girth and confidence with each new day. The district attorney for New York County was A. Oakey Hall. Fifteen years later he would be "Mayor Hall," and shine with Tweed, Connelly and Sweeny, as one of Tammany's Big Four, and be indicted with those other patriots for embezzlements and frauds practiced against the town. All these stirring matters, however, were in the ante-rooms of futurity upon a June afternoon, when Doctor Uhl, physician-in-waiting to Mrs. Cunningham-Burdell, appeared at the Department of Justice, seeking an interview with District Attorney Hall.

The pair confabbed behind locked doors. All an outside and excluded world might hear of what went on inside was the loud laughter of District Attorney Hall, who, with an overpowering sense of humor, dearly loved a plot.

"Carry out the lady's whim, doctor; carry out the lady's whim!" cried Hall, as Uhl was taking his leave.

"And you'll bear me guiltless?"

"Guiltless as an angel."

July descended, hot and sweltering. Uhl, in his professional capacity, came often to Mrs. Cunningham-Burdell, at 31 Bond. Often, too, he called at 190 Elm, as why should he not?

It was July 27th; Mrs. Cunningham-Burdell, by the professional orders of Uhl, had been greatly secluded for more than a week. About 7 o'clock in the evening a dark-cloaked Sister of Charity came out of 31 Bond. On her arm she carried a market basket. Eyes neither right nor left, but religiously on the ground, the black-robed Sister bent her course for 190 Elm. She entered. Fifteen minutes later, still carrying her market basket, she came out into Elm street, and began the return journey to 31 Bond.

At the door of 31 Bond the Sister of Charity was stopped by Chief Matzell.

"What had she in the basket?"

As though in response there emanated therefrom the thin wailing of a new-born babe. Matzell took off the cover, and in doing so uncovered the very excellent intrigue of Mrs. Cunningham-Burdell.

There was a threat or two of jail, with District Attorney Hall in the background. It was enough; Mrs. Cunningham-Burdell gave up the partial truth. There had been no marriage with Burdell; somebody, never named, had acted in his place. She was not Mrs. Cunningham-Burdell, but merely Mrs. Cunningham. No Burdell baby impended. She had gone to 190 Elm to repair that deficiency, and paid $1,000 for the baby of the market basket.

Mrs. Cunningham sought California and went into grape culture, making a final fortune in wine.

Eckels died in the Albany penitentiary, to which prison he had been sent for a King's County fraud. Snodgrass died, too, although no peculiar notice was taken of it. To the end, no least ray of light was shed upon what man or woman or both killed Doctor Burdell.

The market basket baby?

Its name was Justiana Anderson. Also, when last heard of it was holding, with its real mother from 190 Elm, innocent levees at Barnum's, corner of Broadway and Ann, and receiving $25 a week for being thus socially complacent.

V.

THE BURNINGS IN CITY HALL PARK.

When a few months back the workmen were digging for the tall Municipal building, which starts skyward at the City Hall end of the Brooklyn Bridge, a great number of skeletons were turned out. For the most it was no hard problem to account for those skeletons. In the old days the poorhouse and the Bridewell were in City Hall Park, and where the tall building now stands was the heart of Potters Field. There the powers which then prevailed buried, when the doctors didn't care to cut them up, their dead paupers and criminals. The British, too, during the Revolution, used the old Hall of Records, only lately torn down, as a prison wherein to keep their war captives. What Revolutionary soldiers—and their name was legion—died in the hands of Warden Cunningham, known unpleasantly in his cruel day as "Brute" Cunningham, and "Beast" Cunningham, were also given graves in that old prison-poorhouse burying ground.

About a score or so of the skeletons unearthed, however, were distinguished by an impressive belt of iron about the middle, to which was attached a short fathom of chain. These belt-and-chain skeletons provoked comment, the great question being,

"Wherefore the belt and chain?" The idlers along Park Row could understand how the city authorities in ye olden day—or even the Revolutionary British—might now and then get hold of some violent subject, whom it was wisdom to chain up. But that those same authorities, in event of the death of the violent one, should foolishly bury his belt and chain with his body, and to waste all that excellent iron, proposed a puzzle too deep for Park Row solution.

Had our wondering idlers been familiar with the town's story, and in particular what part of it rests its right upon City Hall Park, that iron riddle of belt and chain wouldn't have held them. Those belt-and-chain skeletons represented all that was left of those negroes who, from judicial time to time, had been burned at the corrective stake in City Hall Park. An iron chain and belt had been used to fasten the patient to the death stake, the chain being of reasonable length so that the burned one might prance and dance in his bed of glowing coals, and edify and entertain the public looking on. Since the festivities always ended the moment death put a stop to the prancing and dancing, and there being no good common sense in throwing away what cords and cords of beech and maple would have been needed to reduce to complete ashes the body, the burial began with the negro's last gasping death-yell. The detaining chain was torn loose from the stake, and the burned dead negro, belt, chain and all—for who would care to unfasten them?—was tumbled into his grave. There you have the whole of that mystery which so wrung the guessing powers of Park Row, while the dig-

ging for the big new municipal building was going on.

The story about to be told is of the Hanover days of the Georges. Before going to the business in hand, however, and by way of getting a convincing glimpse of the esteem in which the negro as a social factor was held in that far-away New York hour, step farther backward for a moment to the reign of good Queen Anne.

There were more than forty crimes for which death was imposed. But with this difference: If the criminal happened to be a white man, the death must and could only be by hanging. In the criminal instance of a negro, the law allowed the sentencing judge a more generous latitude. That worshipful officer, according to his ingenious fancy, might kill the convicted one in any way he chose. He might starve him, or burn him, or skin him alive.

Witness the court archives of the year of Our Redeemer, 1712: The court be it known was held in the old City Hall, which looked south from the head of Broad street, where the Sub-treasury now is. In this same courtroom, too, but later by full three-quarters of a century, the first Congress convened. On the steps outside Washington took his inaugural oath. As he stood delivering his address, which reads so wisely and so temperately, he had before his eyes the stocks, the pillory, the cage, the whipping post, and all the other machinery of judicial torment used "to hold the wicked and punish guilt." For it was there, at the head of Broad street, that criminals were dealt with. The

town didn't there burn its convicted negroes at the stake, to be sure, because the howlings of the burning ones would have disturbed the serenity of the court. Nor was the public gallows there. Commonly, the hanged ones were strung up down at the Battery Park. This, too, as a custom, had its preferential reason. The hanged ones were usually left to swing by the neck until they fell of their own weight, and there is no open-window enjoyment to be derived from mayhap an August corpse, already pendant in the wind and sun discouraging months. Wherefore, while no order to that effect was made, a sheriff in any wise delicate would himself save the sensibilities of the court and town council, sitting in the City Hall, by doing his hangman work at the Battery, where the clean breezes from the bay could be relied upon to come pleasantly to the rescue of the refined nose.

It was a wet, sorrowful April day. The convicted negroes, Clause, Robin, Quaco and Sam had been paraded for sentence. It was a special session "held for the Tryal of Negro and Indian slaves at the City Hall of the Citty of New York." The magistrate, bewigged and begowned, and stifling a judicial yawn, for the sittings had been heavy with much work, signaled to the black expectant four to pay attention. Then said his worship, according to the old records:

> Clause, Robin, Quaco and Sam: You have been convicted of the murder of Adrian Hoghlandt in this eleventh year of our Sovereign Lady Anne. It is considered by the court that you, Clause, be broke alive upon a wheel, and

> so continue languishing until you be dead; and that your head and quarters be at the Queen's disposal. That you, Robin, be hung up in chains alive, and so to continue without any sustenance until you be dead. That you, Quaco, be burnt with fire until you be dead and consumed. That you, Sam, be hanged by the neck until you be dead. And may God have mercy on your souls.

After a brief repose and the discharging of other business, Tom, a slave belonging to Mynheer Nicholas Roosevelt, was brought to the bar. Spake his worship, as straightening his wig, he considered the prisoner with cold, incurious eye:

> Tom, it is considered by this court that you be carried from hence to the place whence you came, and from thence to the place of execution, and there be burned with a slow fire that you may Continue in torment for Eight or Ten hours, and continue burning in the said fire until you be dead and Consumed to ashes.

This should furnish some notion of the social and political rating which negroes enjoyed in the aforesaid days of our aforesaid good Queen Anne. Also, in deference to the sentence of the court, Tom and Quaco were properly burned at or near the present head of Frankfort street, and certain ladies, making merry in the cherry gardens at what is now Cherry Hill, complained as ones ill-pleased at being disturbed by their cries. Robin was carried

down by the water side, near to where Castle Garden now stands, and duly swung aloft in his cage to starve. Sam, of course, was hanged, and no mighty fuss about it.

The really popular event was the breaking of Clause on the wheel. That came off in front of the City Hall, at a spot immediately beneath the present nose of the Washington statue. Clause was spread-eagled, face upward, and fastened wrist and ankle upon a contraption like unto a hubless wheel laid flat on the ground. A Dutch sailor acted as executioner; he said he'd seen the thing done in Rotterdam, and knew all about it. His reward was to be three Spanish silver dollars, or pieces of eight. When all was ready, he took a twenty-pound crowbar and broke Clause's arms, one after the other, below the elbows, and next his legs below the knees. Having faithfully made the circuit he went round again and broke Clause's arms and legs above the elbows and above the knees.

Remembering what the court had said about "languishing," the *pro tem* executioner moved in a most leisurely way, and put in several hours about the job, hanging over his labors like a painter over a picture. When the groans of Clause got on his tarry nerves a bit, which now and again they did, he had but to step into Jan Peterson's house of call, standing where now is 30 Broad street, and refresh himself with forty drops of Hollands. Thus fortified, bar in hand he would return to Clause, like a giant refreshed, and crush another arm or leg, smiling at the spurt of blood and marrow.

According to the local watch on duty about the City Hall that night, and it speaks well for the con-

scientious work of our sailor executioner, Clause didn't die until the small hours of the subsequent morning. The cautious watch at that wouldn't pretend to put their finger upon the precise moment. All they were sure of was that Clause ceased moaning and twisting as, swinging their rattles, they went crying, "Two o'clock, and a raw, wet, blustering morning!"

You understand, of course, that what has been written isn't the real story at all, and is here given only by way of grace before meat, and as blazing a trail to your imagination.

The year was 1741. Also, what is to be related had its commonplace start in a robbery. Mr. Hogg's store, at the northeast corner of Broad and Beaver streets, was entered, and some silverware and silver money carried away.

When Robert Louis Stevenson came first to New York he stopped at a cheap, small, friendly, Irish hostel, at No. 10 West street. For fiscal reasons the author of *Treasure Island* didn't go uptown to the Fifth Avenue or the Hoffman. In 1741, upon that particular spot, now classic as the site of the boarding-house where the immortal Stevenson found entertainment, stood a low groggery for negroes, kept by a dissolute shoemaker named Hughson. With Hughson was his wife, Sarah, their daughter, a woman known as Margaret Salingburgh, *alias* Kerry, *alias* Peggy, and a girl of sixteen, who had been "bound" to Hughson as Mary Burton. Hughson as a character was phenomenally low, and the others were as low as Hughson.

While everybody not otherwise engaged was talk-

ing and looking about for Mr. Hogg's silver, a fire broke out in the Fort at the Bowling Green. It was explained as having caught from the hand furnace of a plumber, at work upon the spouts. A week later Captain Warren's house, near the Castle (Castle Garden), was discovered in a blaze. Then in sharp succession Mr. Van Zandt's store in Pearl street, Mr. Quick's barns in Maiden Lane, Mr. Thomas's house in Nassau street, Captain Sarly's haystack on Broadway, Mr. Murray's house to the west of Bowling Green, Mr. Hilton's house in Marketfield street, Sergeant Burris' house in Bridge street, and finally Colonel Phillipse's warehouses in New street broke out in flames. These smudges shed their smoky glow over the better part of two excited weeks.

The Fort was the most serious business, the rest having been, for the greater part, extinguished before any mighty damage had been done. Such a red succession of blazes, however, set the suspicious English to thinking, and even the duller Dutch shook their schnapps-muddled heads and lighted an extra pipe.

New York was not so large as it is now. The most liberal count of noses put the census at 12,500, a supposed 2,500 being negro slaves. Also, the latter were ever subjects of distrust; for the town had not forgotten what murders Clause of the wheel and his fellows suffered for those thirty years before. Therefore, as folk went thinking on that multiplicity of blazes, they swept with the tail of their eye those 2,500 slaves.

As giving an edge to doubt and lending suspicion a hint, the *Gazette,* printed in Hanover Square,

published from its Hackensack correspondent this story:

> About the beginning of this month at Hackensack, New Jersey, eight miles from this city, the inhabitants were alarmed about an hour before day, and presented with a most melancholy and affrighting scene! No less than seven barns in that neighborhood were all in flames, and the fire had got such head that all assistance was in vain. In a short time they were burnt down to the ground. Two negroes, the one belonging to Derick Van Hoorn, the other to Albert Van Voerbeise, were suspected to have been guilty of the fact, the former having been seen coming out of one of the barns with a gun. He pretended, on his being discovered, that he saw the person who had fired the barns. Upon which his master ordered him to fire at him, and the negro thereupon immediately discharged his piece. But no blood was drawn from any mortal that could be discovered. The other negro was found at his master's house, loading a gun with two bullets, which he had in his hand ready to put in. Upon these and other presumptive circumstances and proofs, both negroes were apprehended, and in a few days tried, convicted, and burnt at the stake. Mr. Van Hoorn's negro confessed he had set fire to three of the barns. The other would confess nothing; nor would either of them discover that any others were concerned with them in this villainy.

Prompted possibly by this luminous item from Hackensack, Miss Earle, who lived on the west side of Broadway, a few doors below the English (Trinity) Church, recalled that, looking from her window the Sunday after the fire at the Fort, she saw three negroes in the street, and that one of them, Mr. Waller's Quaco, was twisting and squirming in an ecstasy of delight, and crying:

"Fire! Fire! Scorch! Scorch! A little more mebby by and by!"

Quaco, being arrested, explained that he was but rejoicing over the recent capture of Porto Bello by Admiral Vernon. In a spirit of prudence he was laid by the heels in jail, until the heads of the community should go more deeply into the matter.

Yielding to popular feeling, Mayor John Cruger, with Recorder Gerardus Stuyvesant at his magisterial elbow, went down to the City Hall and called an extraordinary meeting of the council. Thereupon, Aldermen Romme, Johnstone, Moore, Bancker, Pintard, Marshall, Bogard, Stoutenbergh, Minthorne, Brinkerhoff, Benson and Lawrence wended their solemn way to the City Hall, and lapsed into serious conclave.

Getting down to work, they offered $500 reward for the conviction of any or all who had set fire to the Fort, or any of the town's houses, barns or stacks. Then they "moved" the court in that behalf, and Chief Justice DeLancey, acting with Judges Phillipse and Horsmanden, convened an extraordinary Grand Jury. This board of inquiry was purposely made up of merchants, as ones having the most at stake, and carried such names as Rutgers, Latouche, Read, McEvers, Cruger, Mer-

ritt, Schuyler, De Peyster, Spencer, Duncan, Van Horne, Van Zandt and Provoost. These earnest gentlemen went into session behind locked doors, and began turning the city population of 12,500 upside down in a hunt for evidence.

Off Governor's Island the British sloop-of-war, *Flamborough,* lay fretting on her ropes. A sailor named Wilson, on shore leave from the *Flamborough,* whispered to Mrs. Hogg that her silverware was at Hughson's. Mrs. Hogg got hold of the sixteen-year-old "bound" girl, Mary Burton, and Mary, having little liking for Hughson, began to talk. The silverware was found at Hughson's; and, with that, Hughson, his wife, his daughter and Peggy of the several names were jailed.

Martin Peterson, who lived by the water, near the foot of Whitehall street, began reciting his adventures. They had a direct bearing upon the fires. Called before the Grand Jury he deponed, to copy from the records, after this manner:

> Martin Peterson said that when Colonel Phillipse's storehouse in New street was on fire, he went to assist in putting it out. Coming up to it, he met Mr. Phillipse's Cuffee running out of the door of the storehouse, and he asked Cuff what he did there? Cuff swore a great oath. The witness had a bucket of water in his hand, and gave it to Cuff and bid him hand it along. Cuff took the bucket from the witness. Cuff had on a blue coat, lined or faced with red. The witness used to work for Cuff's master, and knew the negro very well. Peterson went on to say that, after the fire

was extinguished, and the people were drawn away by a new cry of fire, Colonel Phillipse and Mr. Chambers were standing together in the garden near the storehouse, and somebody came up and told Mr. Phillipse that they had taken Cuff out of his house, and were carrying him to jail; that it was he who had set the fire. Mr. Phillipse made answer: "How can that be? I left him at home at work making a vane for the boat." He, Peterson, standing nearby, and hearing that, said, "I am sure I saw him here just now at the fire and spoke to him, and he answered me. I handed him a bucket of water."

Witness Peterson said that his friend Stoutenberg knew a word or two. Foreman Rutgers, for the grand jury, sent for Stoutenberg. The record gives his testimony in these terms:

Jacobus Stoutenberg said that he had known Cuff by sight a long time, but did not know whom he belonged to. That he, the witness, went to assist at the fire of Mr. Phillipse's storehouse. When the fire was extinguished he was on the roof. There was another alarm of fire. Just then somebody cried out there were negroes in the storehouse. There being a great many shingles pulled off the roof, he could see down, and he espied out Cuff in the storehouse next to that on fire, and that he, the witness, was for letting himself down through the laths, in order to catch Cuff, but was hindered by a nail taking hold of his

breeches, or he would have captured him. He saw Cuff leap out of the window at the end of the storehouse, and so made haste away, leaping over several garden fences. Thereupon the witness went back with the fire engines towards the City Hall, at the head of Broad street, and he heard some people cry that they had got the negro. There was a great crowd of people bringing him to jail, and when he, the witness, saw him, he knew him to be Cuffee.

Evidence began to accumulate; the witness rôle became the popular rôle. The record sets forth how Mr. Gardner volunteered:

Isaac Gardner said: He saw Cuffee at the fire at the fort. There were rows made of people in the garden, negroes as well as white men, from the water-side through the sally-port, in order to hand water along to the fire. Cuffee was in the line of people passing water. When the buckets came to Cuffee, instead of handing them along to the next man, he put them upon the ground and overset them, by which means the ground which was at first dry and hard became so wet that the witness who stood next him was almost up to the ankles in mud. Witness then observed Cuff, when the flames of the house blazed up very high. He huzza'd, danced, whistled and sung, and with that witness said to him: "You black dog, is this a time for you to dance and make game upon such a sad accident?" But Cuffee only

> laughed, and whispered to Albany, Mrs. Carpenter's negro, who stood next to him on the other side. Whereupon, witness seeing Colonel Moore, said to him that he ought to speak to those negroes, who only laughed, and made game whenever he forbid them oversetting the water. Colonel Moore did speak to them, but after his back was turned they went on again in the same manner, and so continued until they broke up from the fire.

Affairs were looking cloudy for Cuffee. Also, for about all the colored people of his acquaintance. So soon as ever the name of one of these could be screwed from him, however innocent the connection, a law net was flung over that unlucky Congo, and he was cast into the City Hall dungeons. Among those apprehended were the "Five Spanish negroes." These latter were reckoned both "smart" and "bad," and all the more poisonous because they couldn't speak English.

Now that the popular fancy had taken to running off in hot pursuit of firebugs, Mary Burton, who led the way to Mr. Hogg's silver in Hughson's house, began remembering other matters—fire matters. The record tells this:

> Mary Burton said: Prince and Cæsar brought the things of which they had robbed Mr. Hogg to her master; Hughson, his wife, and Peggy receiving them. Cæsar, Prince, and Mr. Phillipse's Cuffee used to meet frequently at her master's house. She had heard them talk frequently of burning the fort; and

> that they would go down to the Fly (Maiden Lane) and burn the whole town. Her master and mistress said that they would aid and assist them as much as they could. In their common conversation they used to say that when all this was done, Cæsar should be governor, and Hughson, her master, should be king. Cuffee used to say that a great many people had too much, and others too little; that his old master he should have less and that he, Cuffee, should have more. Hughson and her mistress threatened that if she, Mary Burton, ever made mention of the goods stolen from Mr. Hogg, they would poison her; and the negroes swore that if ever she told of the design of burning the town they would burn her whenever they met her.

Inside the City Hall grate was Arthur Price, a white thief. Larceny was no light matter in the year of our Lord's grace, 1741, being a sure passport to a halter and a leap from a ladder. The locked-up Mr. Price, being not without some genius for strategy, aroused himself to what he realized was his only chance. He would help hunt firebugs, and so make friends at court against a day when he himself was to be tried for stealing.

Says the record, coming to this interesting individual:

> Arthur Price, servant to Captain Vincent Pearse, having been committed upon a charge of stealing out of his master's house several goods belonging to the lieutenant-governor,

which had been removed thither for safe custody from the fire at the fort, informed the under-sheriff that he had some discourse in the jail with Peggy, which he would communicate to a magistrate. The under-sheriff acquainted one of the judges therewith, and he examined Price in the evening. Price, being sworn, saith: That about the beginning of last week Peggy Carey, or Kerry, now in jail, came to the hole in the prison door in which he is confined, and told him that she was very much afraid of Cuff and the other negroes telling something on her. "But," said she, "if they do, by G-d, I will hang them every one." Upon which he, Price, asked Peggy: "How; forswear yourself?" She said: "There is fourteen sworn." Upon which he further asked her: "What, is it about Mr. Hogg's goods?" She replied: "No, by G-d, about the fire." He, Price, then said to her: "What Peggy, were you a-going to set the town on fire?" And she made answer she was not; but said: "By G-d, since I knew of it they made me swear." Price asked her was Hughson and his wife in it? She said, "Yes, by G-d, they were both sworn as well as the rest." Then Price asked her if she was not afraid the negroes would accuse her? She said, "No; Prince, Cuff, Cæsar, and Forck's (Vaarck's) negro are all true-hearted fellows." Price went on to say that yesterday in the afternoon Peggy came to him again, and told him she "had no stomach to eat her victuals; for that bitch Mary Burton has fetched me in, and

made me as black as the rest." Peggy declared that if they did hang the two poor fellows below, Cæsar and Prince, they would be revenged on them yet. Upon which Price said to Peggy, "I don't doubt but they will endeavour to poison this Burton girl that has sworn." Peggy replied, "No, by G-d, I don't believe that; but they will be revenged on them some other ways." And then she added, "For the life and soul of you, you son of a b---h, don't speak a word of what I have told you." Price further said that yesterday morning he had discourse with Sarah, the daughter of Hughson, about the fires. He, Price, told her that some of the negroes had confessed. Upon which she colored, put her bonnet back, and at last asked who it was? He told her it was kept private. Upon which she made a long stop, and said, "It must be either Holt's negro or Todd's." He, Price, told her, "Sure, you had better tell everything." She said, "No; she would sooner suffer death and be hanged with her daddy." As to the fire at the fort, however, they did not set the saddle on the right horse.

Mary Burton again began beating her wastes of memory, as bird-dog might beat a thicket, and succeeded in flushing the following facts—according to the record:

Mary Burton said: That a day or two after she was examined before, she was coming by Mr. Vaarck's door in Broad street, near

> Stone street, and saw a negro of Mr. Vaarck's, who went by the name of Bastian. He asked whether she had told anything about the fires? She answered no. He replied, "D—n you, it was not best for you." She hath often times seen many negroes at Hughson's house, she believes thirty together. Hughson, his wife and Peggy and Sarah Hughson, the daughter, used at the meetings of the negroes to be the forwardest of any of them in talking about fires. She knows that Hughson and his family, and John Romme were very intimately acquainted.

John Romme, whom the veracious Mary referred to, was a shoemaker, like Hughson, and, also like Hughson, kept a drink shop for negroes. His place was on Pearl (Perel) street, near Coenties Slip. As anticipating Mary Burton's frankness, he had crossed over to New Jersey and was in hiding in or about Brunswick. In view of what had transpired, his wife thinking the news should interest him, which it doubtless did, wrote him this letter:

> Beloved Husband, John Romme: This is to acquaint you that I have received your letter by the bearer hereof, and understand out of it that you intend to return home again. My dear, I desire of you that you make the best of your way to go further, and not to come in New-York, and not to make yourself known where you are. For John Hughson is to have his tryal, as also his wife; and the servant maid is king evidence against both;

> and she has brought your name likewise in question, and I am afraid that John Hughson and his wife will be hanged by what I can hear, and the sheriff and bum bailiffs seek for you everywhere. Mr. Vaarck's negro he keeps his word stedfast for you. Brother Lucas is chosen one of the jurymen, and he hears how it is. So no more; but remaining your respectful wife, Elezabet Romme, till death.

Even as Adam accused Eve, so Romme, when later he came to the bar, pointed to his wife as the temptress. Whereupon that energetic lady, albeit on trial for her own life, smote upon him and knocked him down. It may be said in passing, however, that they were finally acquitted upon a promise to leave the province, and departed reconciled into New Jersey hand in conjugal hand.

While Foreman Rutgers and his grand jury were working their works, the bumbailiffs, as Frau Romme styled them, were toiling double-turn. To name a negro was to arrest a negro, and scores on the heels of ebon scores were thrown behind the hopeless bars. Many of them were the slave-property, too, of grand jurymen who voted to indict.

As indictments were handed up, Judges DeLancey, Phillipse and Horsmanden began playing their important parts. Hughson, his wife, his daughter and Peggy of the several names were brought to trial. In those days a defendant couldn't testify, couldn't employ counsel. Practically, he was bucked and gagged for every purpose of protecting himself, and at most could but call witnesses and personally cross-examine the king's evidence. Altogether,

he stood no better chance of justice than does a present-day New York policeman in a present-day New York court.

At the hearings of Hughson and those others, Peterson, Price, Stoutenberg, the girl Mary Burton, Mrs. Earle, Mr. Hogg, the sailor Wilson and a cloud of others were sworn. Much of the testimony was of the wildest. In the end, however, Hughson, his wife, his daughter and Peggy were victoriously convicted.

As showing how that eminent personage felt about the affair, consider this from Chief Judge DeLancey, when sentencing the prisoners. Addressing Hughson, he said:

> Thou vile wretch! Your hypocritical, canting behaviour upon your trial, your protestations of innocence, your dissimulation before God and man will be no small article against you at the day of judgment. For what saith the word? They that have done evil and die hardy and impenitent shall be thrown into the infernal lake of fire and brimstone, together with the devil and his accursed spirits, where the worm never dieth and the fire will never be quenched. In this torment you must remain under the most bitter weeping, wailing and gnashing of teeth, time without end.

Delivering which, Judge DeLancey repaired to his mansion, at the southeast corner of Broadway and Pearl street, and recruited himself with a noonday dinner, while Hughson and the others were carried below to the dungeons, which were crowded

as never was subsequently the Black Hole of Calcutta.

This is from the Hanover Square press and tells of the hangings at the Battery, to which as to a holiday New York humanity turned out in gala rig:

> John Hughson, Sarah his wife, and Margaret Kerry *alias* Peggy were executed according to sentence. The under-sheriff had advised John Hughson to make a confession about the conspiracy, but he denied he knew anything of the matter; said he had deserved death for receiving stolen goods. The wife was ever sullen; she said little or nothing, but denied all. The sheriffs observed Hughson, when he was brought out of jail to be carried to execution, to have a red spot on each cheek about the bigness of a shilling, which at that time they thought very remarkable, for he was always pale of visage: These spots continued all along to the gallows. Amongst other discourse it seems he had said he did not doubt but some remarkable sign would happen to him, to show his innocence. He stood up in the cart all the way, looking round about him as if expecting to be rescued as was by many conjectured from the air he appeared in. One hand was lifted as high as his pinion would admit of, and a finger pointing as if intending to beckon. At the gallows his wife stood like a lifeless trunk with the rope about her neck. Tied up to the tree, she said not a word and had scarce any visible motion. Peggy seemed much less resigned than the other two, as

> rather unwilling to encounter death. She was going to say something, but the old woman who hung next to her gave her a shove with her hand; so Peggy was silent. But they all died, having protested their innocence to the last touching the conspiracy.

Hughson's daughter Sarah had been convicted, but the court withheld her sentence. The idea was to use her as king's evidence against the negroes, then being brought in by the thoroughgoing bum-bailiffs.

Speaking of the daughter, Sarah Hughson, and the court's hopes and fears concerning her, the *Gazette* of that day printed:

> As to this miserable creature under sentence of death, the judges wished that she would have furnished them with some colour or pretence for recommending her as an object of mercy, but they waited for it hitherto in vain: she was a wretch stupefied and hardened in wickedness, and seemed void of all sense of a future state; however it was thought proper to respite her execution, which was ordered accordingly, in hopes that when her father and mother had suffered she might be mollified to a confession of her own guilt, and raise some merit by making a further discovery; or at least, confirming what had hitherto been unfolded concerning this accursed scheme.

The judges felt the necessity of a word or two more of white evidence concerning the firebug plot.

It was for this they were so softly inclined towards Sarah. For, even as the grand jury went digging, and the judges upon indictments rendered went trying what negroes were accused, more than one voice was uplifted in open doubt. In more than one corner of the town the firebug plot was decried, denied and scoffed at. To such a degree, in truth, that Judge Horsmanden felt called upon to publish a rebuke, in what would now be described as a printed interview.

Said he:

> There are some wanton, wrong-headed persons amongst us, who take the liberty to arraign the justice of the proceedings and set up their private opinions in superiority to the court and grand jury; though God knows—and all men of sense know—they could not be judges of such matters. Nevertheless, they declare with no small assurance, notwithstanding what we saw with our eyes and heard with our ears, and everyone might have judged of by his intellects who had any, that there was no plot at all! The inference such would have drawn from thence is too obvious to need mentioning. However this moves us very little.

It were impossible to even glance at the hearings in detail. By and large, over one hundred negroes were tried. Mary Burton was the stock witness, having, it is fancied, a covetous eye upon that $500 reward which had been promised, and which later she was paid.

These are examples of the evidence upon which,

according to the official records, the negroes were condemned:

> Mary Burton deposed that Cæsar spoke to her and cautioned her not to tell. Hughson made answer that she dared not. Cuff said, "D—n his bl—d, if he would tell of any, even if he was burnt." She saw Cæsar pay Hughson twelve pounds in Spanish pieces, which Hughson said was to buy guns; and that Hughson afterwards went abroad with his boat, was absent three days, and brought back eight guns, three pistols and four swords, which were hid away under the boards in the garret floors in Hughson's house.
>
> Mr. Burke's negro wench, Sarah, said that one Sunday afternoon, about four or five of the clock, she was at Mr. Comfort's house in New Street in the kitchen. A great many negroes were sitting round the table, betwixt twenty and thirty. Amongst them were Dr. Fisher's Harry, Mr. Bagley's Jemmy, the widow Schuyler's tall slender negro, Mr. Abeel's mulatto Tom, Mr. Niblet's Sandy. She, Sarah, staid there about an hour, and rum was there. Mrs. Clopper's Betty, Mr. Chamber's Robin, Mr. Clarkson's Tom, Mr. Groesbeck's Mink—an impudent toad—Mr. Rowe's Father Tom and old Frank, Colonel Phillipse's Cuffee, Mr. Teller's Sarah, Mr. Vaarck's Cæsar, Mr. Auboyneau's Prince, Mr. Comfort's Zack, Cook, Jenny and Jack—a busy man—Mr. English's boy Patrick, Mr. Hunt's Warwick—the

negro that cut his throat—Mr. Todd's Dundee, Mr. Brinkerhoff's Tom, Mr. Pintard's Cæsar, old Kip's Harry, Mr. Teneyck's Bill, Mr. Silvester's Sambo, a tall negro living at Mr. John Dewit's, Mr. Kierstead's Braveboy, Mr. Hunt's Jenny and the Long Bridge boys. Patrick, Mr. English's boy, used to say, "Let us go to Hughson's." Mr. Alsteyn's Cato, Mr. Shurmur's Cato, Mr. Leffert's Pompey, Mr. Comfort's Jack and others sharpened their knives and said they would go and set fire along the docks. Mr. Comfort's Jack proposed the Fort first. The cook said no, they would find them out if they did that. Everyone was to set their master's house on fire. Mr. Clopper's Betty carried her there. They swore, and said they wished thunder might strike them to the hearts if they told. They whetted their knives on a stone, some complaining that their knives were rusty and blunt, and some said that their knives were sharp enough to cut off a white man's head; that they would kill the white men, and have the white women for their wives.

Adam said that soon after new-year holidays last, of a Sunday afternoon church just going out, he was walking in Broad street near Pearl by Mr. DeLancey's, and met Jack his fellow servant coming with a keg of tea-water. They stopped, and Jack told him that he was just come from Hughson's. He asked Jack to go back with him to drink a dram; and when they came to the house he saw there Hughson,

his wife and daughter. Hughson carried him and Jack into another room, and his wife and daughter came in. Hughson swore him and Jack that they might be split with thunder and lightning. They were to murder their masters and mistresses, kill all the white people. Hughson shook them by the hand and wished them much joy. Hughson gave him a drink, and then asked him to burn houses; and he not giving a ready answer Sarah swore at him, and the negroes did also with knives in their hands. They frightened him, and he was afraid they would kill him; and upon it he promised he would burn the Coenties Slip market, and soon after he went home.

There was a cataract of black evidence, quite as convincing as the above. As the convictions came in, the judges imposed sentence. This from the record is a specimen of Judge Horsmanden's best manner:

Quack and Cuffee, you stand convicted of one of the most horrid and detestable pieces of villainy that ever Satan instilled into the heart of human creatures. What then could prompt you to undertake so vile, so wicked, so monstrous, so execrable and hellish a scheme as to murder and destroy all your own masters and benefactors? Ye that were for destroying us without mercy, ye abject wretches, the outcasts of the nations of the earth, are treated here with tenderness and humanity. With too great indulgence, also; for you have

> grown wanton with excess of liberty. It is a very irksome task to pronounce that sentence which the law requires of us, for we delight not in any man's blood; but the law adjudges you unfit to live. Therefore, the sentence against you is that you, each and every of you, be carried from hence to the place from whence you came, from thence to the place of execution, where you Quack and Cuffee are to be each of you chained to a stake and burnt to death. And the Lord of His infinite mercy have compassion upon your poor wretched souls.

Quite properly, and with commendable attention to detail, Quack and Cuffee, upon the day appointed, were burned—stakes set fifty feet apart—just in front of the spot now occupied by the Nathan Hale statue. The next issue from Hanover Square had this:

> Quack and Cuffee were executed at the stake according to sentence. The spectators were very numerous. About three o'clock the criminals were brought by Wall Street and the Broadway to the stake, surrounded with piles of wood ready for setting fire to, which the people were very impatient to have done. They both seemed inclined to make some confession. Mr. Roosevelt said he would undertake Quack, whilst Mr. Moore examined Cuffee; but before they could proceed to the purpose, each of them was obliged to flatter his respective criminal that his fellow sufferer had

begun, which stratagem prevailed. Mr. Roosevelt stuck to Quack altogether, and Mr. Moore took Cuff's confession. After the confessions, Mr. Moore desired the sheriff to delay the execution until the governor be acquainted therewith, and his pleasure known touching their reprieve; which could it have been effected it was thought might have been the means of producing great discoveries. But from the disposition observed in the spectators it was much to be apprehended that there would have been great difficulty, if not danger, in an attempt to take the criminals back. Before Mr. Moore could return from the City Hall in Broad street to the place of execution, he met the sheriff upon the common who declared his opinion that the carrying of the negroes back would be impracticable. If that was his honour's order it could not be attempted without a strong guard, which could not be got in time. His honour's directions for the reprieve being conditional and discretionary, for the reasons given the execution proceeded.

To those who can read between the lines, the newspaper press in what it prints and how it prints it gives ever an unflagging picture of the age in which it flourishes. This story from the Hanover Square types might be taken as marking how strong was the New York popular taste in the reign of the second George. Hughson and the negro Cæsar, it will be recalled, were both hung in chains at the Battery water-side. The Hanover press gave this comic

item at the time York, also in chains, was hung up to be company for Hughson, and keep that lost shoemaker in countenance:

> When Mr. Duane's Prince, Mr. Latham's Tony, Mr. Shurmur's Cato, Mr. Kip's Harry and Mr. Marschalk's York were executed at the gallows according to sentence, the body of York was afterwards hung in chains upon the same gibbet with John Hughson. Also, the town was amused with a rumour that Hughson was turned negro, and Mr. Vaarck's Cæsar a white. When they came to put York in chains by Hughson—who was hung upon the gibbet three weeks before—so much of him as was visible, face, hands, neck and feet, were of a deep shining black, rather blacker than York who was one of the darkest hue of his kind. And the hair of Hughson's beard and neck—his head could not be seen, for he had a cap on—was curling like the wool of a negro's beard and head, and the features of his face were of the symmetry of a negro beauty, the nose broad and flat, the nostrils open and extended, the mouth wide, lips full and thick. His body, which when living was tall, upwards of six feet, but very meagre, had swelled to a gigantic size. Cæsar, who had been hung up in chains a month before Hughson, and was also of the darkest complexion, his face was somewhat bleached or turned whitish, insomuch that it occasioned that jesting remark that Hughson and he had changed colours. Many of the spectators were ready to resolve

them into miracles. However, others, not so hasty, were willing to account for them in a natural way. The sun at this time has great power, and the season as usual so very hot, that Hughson's body dripped and distilled very much, as it needs be from the great fermentation and abundance of matter within him, as could not be supposed at that time from the extraordinary bulk of his body; though, considering the force of the sun and the natural meagreness of his corpse, one would have been apt to imagine that long ere this it would have been disencumbered of all juices. At length, about ten days or a fortnight after Hughson's mate, York, was hung by him, Hughson's corpse, unable longer to contain its load, burst and discharged pailfuls of blood and corruption. This was testified by those who were nearby, fishing upon the beach. Whatever were the causes of these changes, the facts are here related that everyone may make their own conjectures upon them. Hughson, as he was going to mount the cart which was to carry him to execution, declared that he did not doubt some remarkable sign would happen to him to shew his innocence. If his corpse becoming monstrous in size, and his complexion as black as the d---l, can be deemed signs or tokens of his innocence, then some may imagine it has happened according to his expectation.

This was the Hanover Square literature of New York at a time when in London Gray was paring

and polishing his *Elegy,* and Pope, in his fourth *Dunciad,* was laying the bed-plates of his letter-war with Colley Cibber. There was, as you say, a difference truly! And yet, while one may be willing to confess that the refinement belonged with London, it is no less sure that the strength was all New York's.

The negro plot of 1741 held the New York carpet, as the general topic, until the war of the Revolution arose to push it aside. For the plot, four white people were hanged. Also, eighteen negroes were hanged and twelve burned at the stake. In later years, children hunting lost cattle on the commons after dark, whispered with fear-stricken lips of ghostly stakes, fenced round by ghostly fires, while raving, tossing, chained black phantoms danced in and out among the flames.

VI.

THE RICHARDSON ASSASSINATION.

This is the tale of two men and a woman. Her girlhood name was Abby Sage. She was born in 1838, at Lowell on the river Merrimac. Her father, Nathan Sage, was a weaver. It was before the weasel trusts had sucked the yolk from the egg of every man's opportunity, and a weaver was not wanting in a destiny worth working out. Jack was as good as his master, or nearly so, and weaver Sage could sit in his church on Sunday, owing no man, and respecting and respected hold up his head and squarely look humanity between the eyes.

Abby Sage was given a New England education, which is the best education since Gutenberg invented types. As she grew to womanhood, proceeding after the New England manner, she took a school to teach. This was in the New Hampshire town of Manchester, to which home of looms and bobbins her father had removed.

As with a ruler for a scepter she held sway in her little school-kingdom, and brought her chubby, scrubby subjects forward in the important matters of the three Rs, Abby Sage, nineteen, was not without ambitions. She knew she was beautiful—with her brown eyes, brown hair, broad forehead, mouth full and sensitive and drawn on cupid's lines. She

believed herself wise, too; for she had read and understood more books than ever did Voltaire's *Emilie* or Hershel's sister. Moreover, she wrote small romances for the little ones, those most exacting critics, and the Boston magazines printed them. And paid.

Innocently egotistical, happy, hoping brightly many things and with just a quickening touch of mercury in her blood, Abby Sage one Manchester evening met Daniel McFarland. He was her senior by an even score of years. Also, he was a rolling stone from Galway. Brought to this country at an early age, and father and mother dying before he had counted his eleventh year, he was originally apprenticed to a Lynn harness-maker. But even with so modest a start he grew up as ambitious, as egotistical, as optimistic as was Abby Sage herself. He lacked, however, the girl's singleness of purpose and quiet force.

Not liking the smell of tanner's oil and the feel of leather, McFarland, like Abby Sage, had had his dreams. These visions in the beginning so possessed and held him that he had raked and scraped dollars enough together, earning some, borrowing more, to take him to Dartmouth. One of the professors made him his assistant in chemistry; this put money in his way and helped him pay his board. Contriving, too, that he should be given his degree as a Bachelor of Arts, that same benevolent, good professor sent McFarland to France, where he listened to the lecturings of Chevalier, Michelet and the erudite Jules Simons. The direct effect of this was to augment moderately his mental equipment, while prodigiously multiplying his self-conceit.

Having finished with France, McFarland returned to Boston somehow, studied law somehow, and somehow gained admission to the Bay State bar. Being admitted, he did not practice law. Considered as a machine, there were double the number of loose screws in the makeup of McFarland required to insure defeat. An eminent instance of the young-man-in-a-hurry, he wholly wanted in that patience and power to wait which were and are the headwaters of all victory.

McFarland was sadly shallow—like those Georgia ponds which are a mile wide and an inch deep. He could dream, but couldn't realize; plan, but not execute. And all because of the absence of those dogged qualities of persistency and adherence to an original aim.

There are a multitude of comparisons which should give the picture of McFarland. He was not weak, not bad; and, with ambitions in excess of any power of performance, felt that poem in his heart for which his shortened nature couldn't find expression. With a soul for soaring, he owned no wings. It was as though some penguin had been invested with the inspiration of a skylark. Also, this skylark eagerness to fly without being able to fly, coupled with a skylark impulse for melody without being able to sing, rendered penguin McFarland restless, resentful, unhappy.

Following his return from France, McFarland tried many things, to fail in all. Beaten in everything he undertook, McFarland never discovered his own deficiencies. Disaster taught him nothing. Greatly the paranoiac, he read in his failures only that the world was in one grand conspiracy to beat

him down. In empty procession, he was harness-maker, chemist, lawyer, elocutionist, speculator. Wasting his time without reaping a profit, each proved to be in turn a waterhaul. He even posed for a handful of months as professor of *belle lettres* and elocution at Brandywine College, and that venture was the most impressive waterhaul of all.

The McFarland sort of man is perhaps to be pitied rather than condemned. They are with a final word no more, no less, than just what Heaven made them. Amiable, shallow, with a spreading wealth of good intentions, they resemble those yachts which, flying an acre of canvas, draw but four feet of water. With easy seas and a five-knot breeze, they make excellent weather of it. Let it blow ten knots, and, gunwale under, their decks are a-wash in a moment. Given a twenty-knot gale, over they go on their beams-end a total wreck.

McFarland, defeated, upheld his soul with strong drink. Whiskey became to him as the shadow of a great rock in a weary land. Said Doctor Johnson to the inquisitive Boswell, "Wine makes a man pleased with himself, which is no small matter." So thought McFarland; and when a battle lost had left him bankrupt for the moment of every good opinion of himself, he turned to alcohol as the quick, sure means of restoring what diplomats would call the *statu quo*.

When in Manchester that school-day evening McFarland met Abby Sage, he was a drunkard and a beaten man. And yet how should she know? He appeared clothed and in his right mind. He had seen the world, and that interested her. He had

come from the world and was going back to the world, and that interested her still more. He was kindly; he was good looking; he talked well; he was fashionably dressed, although he owed his tailor. Also, putting his best foot forward and with no more villainous design than just to shine a bit, he lied braggingly of his past and crowded it with the bustle of many triumphs.

Abby Sage heard him, and believed every word. He became her hero, her conqueror, her meteor among men. She compared him with the dull, slow factory males about her, to the disaster and disadvantage of those dull, slow factory ones.

Admiration, as much as pity, is the vestibule of love, and Abby Sage began loving McFarland before McFarland had so much as thought of loving her. McFarland wasn't looking for a wife. Had not Abby Sage first loved him, he would never have loved her. Not but what loving her was easy. She was precisely the woman to impress the McFarland imagination. Fine, high, book-read, beautiful, lithe, long-limbed, graceful, she stepped about like a Juno. Best of all she could listen. And, by men who like to talk about themselves, an attentive, sympathetic listener has ever been greatly considered.

Had he been a bad man McFarland, discovering the love of Abby Sage, would have won her and abandoned her, having worn her for a day. Being only weak, he did what was worse and offered her marriage. Abby Sage accepted him. It was like a release from prison. She would escape from her pent-up Ithaca of a Manchester. No more should the four walls of a district school crib, cabin and confine her. And so they were married in her

father's little church; and weaver Sage, as guileless as his daughter, gave the bride away. How blind are we! This was in November, 1857. Within three months, the scales fallen from her eyes, poor Abby Sage McFarland was driven to rap at her father's door to save herself from starving.

The decade which fell in between 1857 and 1867 was ten years of nightmare to the wretched Abby Sage McFarland. It was ten years of disaster, ten years of drunkenness for him. They lived precariously and variously in New York, in Madison, in Brooklyn, in Newark, in Croton. Lashed by failure, lured by hope, McFarland was first here and then there, dragging her with him.

It has been written that to keep herself from starving Mrs. McFarland was driven to rap at the poor door of her weaver father within three months after her marriage. A dozen times during those awful ten years, and for the same starved reason, she was forced to repeat those supplicatory rappings. Her weaver father never failed her. Each time he retook her to his loyal, uncomplaining heart without a word.

There came three children, Jessy, Percy, Daniel. Jessy died; the others lived. The little ones were as welcome beneath the roof of weaver Sage as was the daughter. Even the miserable McFarland went there unrebuked, and borrowed money. Weaver Sage was of the wood from which martyrs are carved.

How did McFarland live during those nightmare ten years? He couldn't have told you had you asked. By borrowing money; by running in debt and never paying; by pawning the poor cheap jew-

elry which Mrs. McFarland possessed. And yet she made friends, strong friends. Wasn't it Laurence Sterne who said "The wind is tempered to the shorn lamb"?

Mrs. McFarland, beautiful and no more than a girl after all, met Horace Greeley's sister, Mrs. Cleveland. She made, too, the acquaintance of Mrs. Sinclair, whose husband was business manager of the *Tribune,* and Mrs. Calhoun, a writer on that paper. These true women loved her, helped her; it is to be doubted if, without their love and help, she could have survived her burdens—so bitterly beyond the slender shoulders of a girl!

McFarland, with the selfish shamelessness so characteristic of the sot, did not scruple to use these friends of his wife. Besides borrowing money from their husbands, he, through Mrs. McFarland, urged them to get him a place in the government employ. For her sake, these women, pushing public buttons through Horace Greeley and Mr. Sinclair, secured McFarland a desk in the Provost Marshal's office, and later in the City Assessor's office, which latter post he was holding dubiously down when he shot Richardson to death.

With two children tugging at her skirts, and nothing to be hoped for from her drinking, cursing, whining, complaining husband—given vastly to self-pity, after the manner of drunkards—Mrs. McFarland cast courageously about for ways and means to live. Strong of heart, rich in a quenchless optimism, despair had made no least of lodgment in her bosom. It was the Yankee strain of granite in her blood which thus served and saved her. Guided by the Sinclairs, Mrs. Cleveland, and Mrs. Calhoun,

she gave public readings. Also, she wrote children's stories for the *Independent* and *Riverside Magazine*. She published, too, through the Houghtons, and got some money by it, a book of poems called "Percy's Year of Rhymes."

With a final eye on the drama, she studied acting under the Vanderhoffs. She was no Siddons, no Vestris, not even a Cushman; but she possessed presence, atmosphere, sympathy, and a voice as sweet as a tune of music. As a reader she succeeded. Folk were moderately willing to pay at the gate for the privilege of hearing her, and the least of her Steinway Hall evenings netted $100. This fed some little flame of hope within her that she might one day make her way on the stage.

Reading, writing, studying, Mrs. McFarland paid for her own, her children's, and McFarland's lodging. She lived in two mean rooms at 58 Varick Street, washing and mending and cooking for herself, her idle, drunken husband, and her babies. It was a hard battle, but she fought it stubbornly.

Encouragement?

Her drunkard husband made even her little success a reason of complaint. He let her feed and clothe and shelter him; he took her money and bought drink with it; but he could not, would not, quite forgive her for refusing to be dragged in the gutter. He would profit by her friends, put her money to his own base ends, and then assail the one and doubt the unstained origin of the other.

By advice of her friends, Mrs. McFarland, after McFarland's acquittal, wrote the outline of her life with him. She had been assailed, vilified; he had

to save himself dishonored her. Why should she not come to her own defense?

The following pathetic huddle of paragraphs should afford some glimpse of what she had endured:

> One morning during this winter which I am now describing, after Mr. McFarland had been out nearly all night in a drunken orgie and had risen from bed in one of his worst tempers, I approached him as he stood by the mirror finishing his toilet, and began to say something soothing to prevent the outburst of ill-temper which I feared was soon coming. He turned round, and struck me a blow across my face which made me reel backward. Although he had often pinched and bit me in some of his fits of drunkenness, he has never before struck me so cruel and cold-blooded a blow. I remember I said to him, without raising my voice, "I shall never be able to forgive you such an outrage."
>
> From that time I took an entirely different course with him when in one of those furies. I had shed a great many tears under his cruelty, had tried to reason with him, had tried entreaties and persuasions. After this, whenever he was in one of his "paroxysms"—as he himself called them—I never moved or spoke; but, keeping perfectly self-controlled as far as I could, I sat quiet, always keeping my eye on him, because I always fancied that as long as I looked steadily at him he would not do me any mortal violence.

And I believe now, as I believed then, that my life has been saved by this silence and self-control. He has sometimes approached me with his hands extended, the fingers bent like claws, as if he were about to clutch my throat, and cried, "How I should like—*like* to strangle you!" or, "Your life is bound, some time, to end in tragedy"; or, "Your blood will be on your own head"; and has, as I think, been restrained only because I simply looked at him without saying a word.

In these furies, he would often seize and break anything which was at hand—lamps, glasses, mirrors, and sometimes the heavier furniture of the room. Often he would rise from bed in these uncontrollable attacks of passion, tearing away all the bed-clothing, tearing in shreds his own night-clothing, throwing anything he could find which was breakable crashing about the unlighted room, till it seemed to me as if there could be no pandemonium worse than that in which I lived. And all this he would do without explanation, or even a pretext for complaint against me, and when I knew no more what excited his frenzy than a babe unborn.

He would sometimes keep up this conduct and this abuse for hours, without a syllable or a motion on my part, and would then burst into tears, beg my forgiveness, say I was the best woman who ever lived, and then go to sleep exhausted. I never told him after this winter that I could forgive or could love him, although he sometimes implored me to do so,

because I could not say so with truth. Generally, I told him I pitied him, which was true. Sometimes he said, "Your d——d silence irritates me more than if you talked"; but I was sure my course was the best.

At the time he struck me this severe blow in 1862, I told Mrs. John F. Cleveland (a sister of Mr. Greeley, who had been very kind to me in my dramatic readings) about the blow, and something of Mr. McFarland's conduct to me. I did not tell her all, nor the worst; but I told her how he had struck me, principally because I was engaged to read at the house of some friends of hers an evening or two after, and I feared she would notice the mark on my face. She was the only person to whom I ever spoke of Mr. McFarland.

The Sinclairs lived at 19 West 29th Street, and Mrs. Calhoun at 77 Clinton Place. Mrs. Calhoun was quick to notice the troubles of Mrs. McFarland. Neither, in the beginning, spoke of them, Mrs. McFarland was too proud, Mrs. Calhoun too delicate. The letters written by Mrs. Calhoun from time to time to Mrs. McFarland, and which were read at the trial, show how constant was her concern for her poor friend. Mrs. Calhoun, who signed herself "Lu," never failed to write hopeful, sunshine letters. It was through her influence and mediation that Mrs. McFarland was taught to think of the stage.

The following, clipped from one of Mrs. Calhoun's notes, should give some impression of that brave and friendly woman:

> Everybody is out of town. Mrs. Ward has gone, and the Sinclairs went last week, and everybody else whom I know, except Mr. Richardson, who has a room here and is so delightfully agreeable and good-natured that not even this dreadful weather makes him cross. Which is saying a great deal for his Christian discipline. Mr. Greeley has almost finished his book. That done, he is going away—probably to Saratoga to trip the light fantastic toe. Mrs. Greeley has had a hemorrhage, and is very feeble. For myself, I am well, but rather tired, having made my jaunt in three days and written three letters, and very anxious of the dryads and hema-dryads. I hope you will study *toward* the stage if not *for* the stage, this summer. That goal seems to me so inevitable and so desirable, if you cultivate your very great gift at all, that whenever I think of you I wish you were in your rightful place. The drama is the art beautiful, and you are worthy to be its prophet.

About this time, July, 1866, Mrs. McFarland met Albert Deane Richardson. The latter was born in the Massachusetts town of Medway. Thirty-three years old, ardent, straight as a lance, big, broad, handsome, with a place in literature, his shadow fell most pleasantly across the path of Mrs. McFarland. He had written books; next to Greeley he was the commanding figure on the *Tribune,* then the nation's greatest paper. Strong, brave, honest, chivalric, respected, he was in everything that which the whiskey-soaking McFarland was not. It was

no more strange that the heart-hungry girl should turn toward him than that flowers should seek the sun.

Richardson was pedestalled upon the very summit of success. The friend of the Calhouns and the Sinclairs, they told him of Mrs. McFarland and the thorns that tore her heart. He sympathized man-fashion; and man-fashion in the end he loved. It was all natural enough—the sympathy, the love. And that finally he should be murdered for his love was, perhaps, the most natural event of all.

Mrs. Calhoun, a practical spirit, again wrote Mrs. McFarland. This letter was a shout of triumph. The indomitable "Lu" had fought a battle. Also, she had swept the enemy's ramparts; the day was hers.

This is how she celebrates:

77 Clinton Place.

Hurrah, my darling! All my wheels are turning the right way, and the world moves. Manager Stuart has just gone. He did answer your second letter at length. Booth was with him when it reached him, and he read it to that divine man "who feels interested in you." I quote the words of the Potentate. If you will play such parts as "Queen" in *Hamlet,* you can have an engagement with the miracle! Here!! This Winter!!! Or, if you do not want to do that, Mr. Stuart will give you an engagement in the country. But I advise *here* first, by all means. My darling, I could not be happier if I had discovered a gold mine. Maybe we have. Think of playing with Booth!

> I believe I should die of that rose in aromatic pain if such a privilege were mine! My dear, this is such a good omen. Youth and hope and beauty, as poor Miss Flite used to say; but there is no sad moral in this case.
>
> Lu.

There was to be a sad ending, even if no sad moral; only the sadness was hidden from "Lu," who, brave and true and friendly, was still no seeress to read a future.

The Winter Garden, under Stuart's management, accepted Mrs. McFarland, who opened as "Nerissa" to Booth's "Shylock" in the *Merchant of Venice.* She was successful, and no one doubted but she earned her $25 a week.

McFarland was not pleased.

Richardson was too much in affable evidence about Mrs. McFarland.

The McFarlands lived at 72 Amity Street. Richardson had taken rooms at 86 Amity. In November he, too, found quarters at 72. This arrangement threw him and Mrs. McFarland greatly together. Their friendship, they declared, was platonic. Some cynic-satirist had said "No man and woman can maintain a platonic friendship for each other unless they're married to each other," and McFarland was inclined to accept the view of the cynic-satirist. He was jealous and showed it. Also, he became more than usually diligent with the bottle.

Richardson had been two months at 72 Amity when Mrs. McFarland wrote to the loyal "Lu." Her letter is printed below. In it she failed to re-

member some matters, stepped over others. It is good to give the whole, because of what came hard on its heels:

72 Amity Street, January 2, 1867.

My Darling and Comforter: I have seated myself with the intention of writing you a long, long letter; of telling you some things which I have never before told any one; but which, kept secret and brooded over, seem to eat out my heart and consume my life day by day. I was miserably unhappy yesterday, all the latter part of the day. Yesterday morning, I got all ready to go to Mrs. Sinclair's. After I had kissed Percy "good-by," and had my parcels in my arms ready to take them over, some little impatient words I said irritated Mr. McFarland, who is very sensitive and quick-tempered. It arose from my asking him to help me carry some of my bundles, and his resenting it, and our both getting a little angry. I did not say half as much as I hear women every day say to their husbands, without its being remembered on either side. I should not have remembered it one instant; but he does. I went away without smoothing out the snarl. It was perhaps a little perverse, but I get so tired of constantly smoothing and coaxing. All day I was nervous. When he did not call with Percy, as he had promised, I was very anxious. I could not get away in the evening without showing how uneasy I was, so I stayed. When I got home, I found Percy in bed, hugging up a book

with which he had got himself asleep—alone. After an hour or two of waiting, waiting—listening for footsteps, and dreading to hear them—he came in, two-thirds intoxicated and very morose. I asked him how he could spoil my day, and cause me so much unhappiness; and he answered that "I had treated him outrageously, and he should spend the New Year's as he chose."

Two weeks ago—the morning of the Tuesday before I went to Salem to read, you remember—I got utterly discouraged, and I said something, not reproachful, to Mr. McFarland about my feelings. One cannot always keep up, you know. There was no unkindness between us; only, when I sink a little in hope, he sinks in despair. That night he did not come home to dinner, and I was obliged to leave my babies when I went to the theater, awake and alone. All the evening I was burning with anxiety to get home. He did not come for me, and I went home alone after I got through the play. I found him in a beastly slumber, from which I could not rouse him; he had been drinking all day. I was to start the next morning for Massachusetts, and it made me almost crazy.

Next morning he was in sackcloth and ashes for his conduct. He wept, and begged me to forgive him—not to tell my father and mother, and swore he would vindicate himself before me by a different life this year. Dear, I try to write these things coldly and mechanically. I want to do so, so as not to be unjust, but I

must write you. I feel I must let you know something of my inner life, and of the struggles that no one can see, or I shall die.

You know, my darling, when I was married I had not much experience of life, or judgment of character. When Mr. McFarland asked me to marry him, I said "yes" without proper deliberation. I was not in love with any one else; everybody got married, I thought, and I never questioned whether I was sufficiently in love or not. I thought I was, and did not reason.

After I was married and began to know Mr. McFarland, I found him radical to the extreme in all ideas. He seemed to have many heartfelt schemes of philanthropy and lovely traits of character. He had beautiful theories; and he believed he acted on them when he did not, and was often cruelly unjust to me and my motives. He was madly jealous of me from the first—a jealousy which seemed to me to have its root in a radical want of confidence in woman's virtue. A bachelor's experience had made him believe women were not always chaste, I think; but to me, who was chaste as ice and pure as snow, if ever woman were, these things were horrible outrages. They struck the first blow at the tenderness I felt for him.

This was the first shock; the second was the discovery that if anything annoyed him, if I was impatient or a little cross, he would drink liquor and come home under its influence. When Mr. McFarland came home thus, I

loathed him with unspeakable loathing and disgust. What I suffered the first year, God only knows, but it is enough to tell you that in a year the possibility of ever loving him was utterly extinguished. This is an awful thing to say, dearest. To drag out for eight or ten years an existence with a man whose whole nature overflowed with passion, who by turn adored and abused you! I want to do Mr. McFarland justice. He had noble theories, and not strength enough to realize them. The mistakes that he made embittered and still embitter him. He meant his life to be noble, and it is a failure. When he is drunk, all the good in him is turned to evil; he is simply and truly a fiend.

My darling, I have spent nights in scenes before which tragedy grows pale. I try, heaven knows, to be as patient as I can. But I do not love him enough to let him wound me to the quick. I don't know what to do—what course to take. I dread my future so much, and I have my babies to think of. Yesterday he drew two weeks of my salary at the theater and I fear he will spend the money, which we need so much, in liquor.

Don't come to me after reading this; I fear I shall repent writing it.

Yours always,
ABBY.

P. S.—I just went down to breakfast and left him in bed. When I came up he was gone! I shall be so anxious till night.

Was Mrs. McFarland thinking of Richardson when she thus wrote? Was she opening the gate for a separation from McFarland? She knew he was jealous of Richardson. And yet, when all is remembered, who shall blame her? He who is wise will blame no one, neither Mrs. McFarland, nor Richardson, nor McFarland. Collision does not necessarily imply a wrong. Two men clash; one conquers, one falls; both are right. It is as though two hands at cards had clashed. One wins, one loses; both are right. Mrs. McFarland did not tell the whole truth. What then? You have no more right to search a man's heart than to search his pocket, and he who may lock a door may lie.

On the back of her letter to "Lu," Mrs. McFarland, working through the Sinclairs, secured a place in the Custom House for the idle, drunken, jealous McFarland. He took it February 1st.

Coming home from the Custom House, McFarland found Mrs. McFarland talking with Richardson in the hall. McFarland, while violent, was afraid of Richardson. Going to the nearest grog shop, he drank himself into a sufficient pitch of courage, however, to return and assail Mrs. McFarland.

The next day, when he was sober, Mrs. McFarland told McFarland she had borne all she would. She was determined upon a separation. He said he was agreeable. She wrote the news to Mrs. Calhoun, who was briefly in Washington.

In warm endorsement, Mrs. Calhoun wrote this reply:

WASHINGTON, Feb. 22.

MY DARLING CHILD: What can I say to comfort thee? I am so glad that you have left Mr. M.; do not, I beseech you, return. Do not let any weakness of mercy possess you. It is happy that the stroke has fallen, no matter what heart-break comes with it. I could be glad that you suffer, if your suffering would keep you away from him. My darling for whom I would die, do not so wrong your womanhood as to go back. You must not, shall not. When I return, you shall come straight to me and stay. I will have it so. I will come to-morrow, if you need me. Write me, my darling—all things. Even if you are distracted, write. It will calm you and help you. All my heart flows to you. I would help you, guard you, heal you, if I could. My darling, you cannot be misunderstood. I, a proud woman, tell you that only by leaving him can you justify yourself to yourself, and to the world of noble people. My darling, my money and purse and grief are yours forever. You will not hesitate to come to me, for you love me. This is a poor note, I have had to scrawl in pencil what I have not had time to say in ink; to-morrow, if you are better, I shall write you a better letter. All my heart is yours. Let Mr. R—— help you. He is good and strong. Stay where you are till I come. Then come to me. My darling, I love you and sorrow for you.

Thine ever,
LU.

Weaver Sage, always staunch, came down from Manchester. At the Sinclairs', in West Twenty-ninth Street, Mrs. McFarland, weaver Sage, and McFarland met. The Sinclairs and Mrs. Calhoun were there. The terms of separation were discussed, and McFarland accepted them. Weaver Sage went back to Manchester, Mrs. McFarland took rooms at 8 Washington Place, while McFarland returned to 72 Amity Street and the Custom House job his wife had secured for him.

Richardson went to Hartford to finish a book. How often has merest accident thrown a switch and ditched a train! McFarland had agreed to a separation, but there were some things to which he had not agreed. Two weeks went by. Richardson, from Hartford, wrote Mrs. McFarland a letter. The letter, after this strange fashion, fell into the fingers of McFarland. Richardson had addressed it to the *Tribune* office, care of Business Manager Sinclair. McFarland had come over from the Custom House to ask Sinclair a question. Sinclair, whose eyesight was bad, and who happened to have the letter in his hands at the moment, read "Mr." where he should have read "Mrs.," and thought the letter for McFarland.

"Here's a letter for you," he said, tossing it across his desk; "though why it should come 'care of the *Tribune*' is too much of a guess for me."

McFarland pocketed the letter without a word. Later, he opened and read it. The reading did not make him happy.

This is how it ran:

HARTFORD, March 9, 1867.

I received two hours ago, darling, yours of yesterday. At noon I mailed you the *Atlantic* for March to No. 72. This I send in care of Mr. S., hoping that you may get it to-morrow.

Don't be disturbed about your family, little girl. Families always respect accomplished facts (my hobby, you know). I once outraged mine a great deal worse than you ever can yours, and they are the straitest sect of Puritans—but Time made it all correct.

So you couldn't go to Mrs. M.'s till Monday, and couldn't have my room. Be patient, little girl, and you shall have to give, not take, orders about my room.

Funny about Lillie and "the young lady I am engaged to." It only confirms my theory that you and Molly are first-class intriguers.

Will order your scrap-book on Monday.

Learn all you can about the material and contents of the new book within the next few weeks, for we may want to announce it in my book. Please remember that it ought to have plenty of humor, and that it must have some horrors. If you recoil from them you shall not do them.

Darling, I smile at my being "pining and hurt." Why, I am like a man who has got rid of his elephant, I weigh 258, and am lighter-hearted than I have been for years; indeed, I felt as if a weight had been lifted from me, even before your sweet love came to sweeten and bless my life.

All the trouble was that she thought she

could not let me go. Long ago, when she and I first came together, I said to her we will make no vows to love each other always—of that we cannot tell—I will only exact that you tell me the perfect truth, whether it keeps us together or separates us, and she replied, "God helping me, I will." She tried to, but the leopard could not change its spots; and she did her best, and was very tender and loving, and I have nothing in the world to complain of. If you had not come to me, little girl, it would have made no difference there, that scene was ended long ago.

It will rather startle Mrs. S., won't it, darling; I think she will like it in the end. Rose's letter is very graceful and kind, and I am very glad you go, for it will do you much good. It is a great, breezy, restful place.

What a goosie it is about my coming home. Of course I shall come, whenever my business compels or will let me. What judgment shall you fear, doing no wrong? The circumstances make it right and unnoticeable, and I will not stay away for 40,000 Mrs. Grundies. I will not neglect work to come; but it is quite possible I may have to come next week. I have not been waiting for you, darling, all these long years to wear haircloth and serve seven years now; I want you always. A hundred times a day my arms seem to stretch out toward you. I never seek my pillow without wanting to fold you to my heart, for a good-night kiss and blessing, and the few months before you can openly be mine will be long

enough at best. No grass shall grow under my feet, but I never let public opinion bully me a bit, and never mean to. So, sunbeam, I shall come whenever I can, and stay as long as business will permit. I will decide about the summer just as soon as I can, darling; can probably surmise by Monday or Tuesday.

Darling, I should be afraid if you had fascinated me in a day or a week. The trees which grow in an hour have no deep root. Ours I believe to be no love of a noonday hour, but for all time. Only one love ever grew so slowly into my heart as yours has, and that was so tender and blessed that heaven needed and took it. My darling, you are all I would have you, exactly what I would have you in mind, body, and estate, and my tired heart finds in you infinite rest and riches and sweetness. Good-night, my love, my own, my wife.

Burn this—will you not?

A. D. R.

Two days went by and Richardson came down from Hartford. After the play he met Mrs. McFarland at the stage door. As they left the theater McFarland crept up behind them and shot Richardson in the back. The wound was not dangerous. McFarland fired twice at Mrs. McFarland, but was safely wide and wild.

Arrested, McFarland published the Richardson letter. There was no prosecution. The town rang with the scandal like a bell. Mrs. McFarland quit the theater and went home to her loyal old father,

weaver Sage. From Manchester she wrote her love and condolence to Richardson, lying at the Sinclairs' with his wound. Richardson returned her a brave answer.

Said he:

March 31, 1867.

My Love:

If heaven shall ever grant me the last blessing of calling you mine by the most sacred name of wife it will compensate me for all waiting and sorrow. And, precious, should one of us go hence by unalterable destiny before that blessed hour come, it would still be blessed and full of compensation to know that you had loved me; that you had found in my poor nature somewhere hidden any worth that deserved that.

And, precious, about our immediate situation. There isn't any sacrifice or generosity about it on my part. Once for all, remember that. Partly from my own rashness, partly from things neither of us could control, you and I are in a little boat on a high and somewhat perilous sea. If I had had any sense, you would not have been there. But I believe devoutly in the proverb that a man who isn't a fool part of the time is one all the time. It was foolish, imprudent, cruel in me to let you be on such a craft with me, when patience could have avoided it. But I loved you and took no counsel of reason.

Well, darling, here we are in the little boat, waves high, some sharks, some pirates. For me it is nothing. I have faced all perils in life

and death before, and their familiar faces don't disturb me. And I am not a bit afraid to die; so I am not afraid of anything in life. But, precious, for you my heart reproaches me. I am so sorry when I should have been your helper and comfort and shield, to have brought you into such a storm. But, darling, if I live I am going to see you safely out of it. If I should not live to get into harbor with you, the Father will take care of your sunny head.

But, precious, let us take our chances. I have been in rougher waves before, and ridden them safely. Let us exercise the best seamanship we can, provide for all contingencies as far as possible, and then keep the serene mind which defies fate and fears nothing but guilt, and knows how infinitesimal all these petty things of life are, and feels sure that infinite love and absolute justice rule the world.

My darling, in all that I am or do, or have or hope for, in life or death, you are irrevocably interwoven. I regret nothing that I have done, save just to that extent that it has affected or marred your happiness. My whole heart, my whole life, go out to you. I think I see a happy future, sunny days, loves of children, love of home, good to others. I know I see a loyalty nothing can shake, a trust that is absolute, a love that is utter and vital.

A. D. R.

Mrs. McFarland left the stage and took refuge at the New Hampshire home of her father, weaver

Sage. Richardson got well and went about his literary labors. Mrs. McFarland lived quietly at Manchester. Richardson saw her but three times, and then not clandestinely, but in the open presence of her people.

Mrs. McFarland's friends advised a divorce. They recommended Indiana. It sounds strangely, but this suggestion of Indiana had its source in politics. Richardson was a Republican and had been a black Abolitionist. He had suffered in a Confederate prison. Before that he had fought and wrote on the Free Soil side in the border wars of Kansas and Missouri. The *Tribune,* upon which he was an editorial writer, was Republican. Horace Greeley, for whom he worked, was a Republican. New York and the New York courts—Tammany courts—were Democratic, and Tweed was in the saddle. McFarland, a Tammany man, was not without supporters. He had been, still was, a Fenian. Although drunk most of the time, and sober only occasionally, he was always eloquent, always on fire to free Ireland. The Fenian movement did not free Ireland. It may be credited, however, with freeing McFarland when he faced a jury, a Tammany jury, for the killing of Richardson.

Convinced that her cause could not be fairly heard in New York, Mrs. McFarland's friends urged her to go to Indiana. Acting upon this recommendation Mrs. McFarland took up her abode in Indianapolis. This was in June, 1868. After a year's residence she filed her complaint. McFarland made no defense. In October, 1869, the decree was granted; Mrs. McFarland was free. Less than three weeks later—Thanksgiving evening—

Richardson visited her. Then he returned to New York and his duties on the *Tribune*.

Seven days went by. McFarland, who had been often there to talk with business manager Sinclair, and knew the routine and all of the runways, came into the *Tribune's* counting room and took a seat in an obscure corner. The clerks thought nothing of his visit; they had often seen him there before. They fancied he was waiting for Sinclair.

Richardson entered and asked for his mail. He did not see McFarland; the latter did not intend to be seen. As Richardson ran over his letters, McFarland stole catfoot upon him and shot him through and through. On the back of this bold deed McFarland fled out of the door and was gone in a moment. Richardson staggered, caught himself, and walked upstairs to his office. From there he was borne to the Astor House across City Hall Park. McFarland was arrested by Captain Allaire of the police at the Westmoreland Hotel, Seventeenth Street and Fourth Avenue. As Allaire collared him he cried:

"My God, it couldn't have been me! Yes! No! Yes; it must have been me!" and in various ways and fashions was exceedingly dramatic and ungrammatical.

Richardson had been dead and buried four months when the case of the people against McFarland was called before Recorder Hackett. Noah Davis led for the prosecution, while John Graham was in the van for the defence. They were four days getting a jury, eight more trying the case. The claim for McFarland was emotional insanity, brain-storm.

Nothing so ferocious as Graham's defence of McFarland had been witnessed within the memory of man. The Greeleys, the Clevelands, the Calhouns, the Sinclairs, every friend of Mrs. McFarland, every associate of Richardson, all were assailed. They were "Mormons," "Fourierites," "Free Lovers."

Victoria Woodhull had just eloped into town from St. Louis with Colonel Blood, bringing her husband along. Her sister, Tennie Claflin, had joined her. There was the brokerage firm, 48 Broad Street, of Woodhull & Claflin. There was the *Woodhull-Claflin Weekly*. The Woodhull was holding seances, with the spirit of Demosthenes to aid her, though it would seem that the great Greek in the passing of the centuries had lost much of his eloquence. The Woodhull was preparing, too, her Steinway Hall lecture, the "Naked Truth"—more naked than truthful. She had not yet attacked Beecher, but would do so the following year.

There was not a syllable to connect either Mrs. McFarland or Richardson with the Woodhull and her coterie. That in no wise daunted Graham. In what latitude was allowed him, the acrid advocate searched them savagely out with the lash of his oratory. He declared that not McFarland, but society, was on trial. Binding the Greeleys, the Sinclairs, the Richardsons, the Calhouns, the Woodhulls, the Claflins, and the Bloods one to the other —not forgetting Mrs. McFarland and the erratic George Francis Train—he denounced them as immoralists, muddy, soulless, vile, who had plotted to steal Mrs. McFarland from her husband. Even the shadowy Demosthenes did not escape; and, ever

and again, Graham stepped verbally aside to lay his rhetorical rawhide across the dead Greek's impalpable, immaterial shoulders.

And, if advocate Graham was savage, advocate Davis showed himself more savage still. Truly, it may well be said that the town sat up and stared. It all ended, however, after a while. The jury, after considering two hours, came in with its verdict, Not Guilty!

The late Amos Cummings, Richardson's fellow worker on the *Tribune,* afterward in Congress, knew the McFarland murder and all of the ins and outs of it. One Washington evening at Chamberlin's he was asked concerning McFarland's acquittal and that finding of "Not Guilty." Rather to the common astonishment he justified the jury's action. And he argued after this wise:

McFarland was a coward; but he wasn't on trial for cowardice. He was a drunkard; but he wasn't on trial for drunkenness. He had ill-used his wife; but that was not the charge against him. Murder with cool intent and meditation was the accusation which he faced.

Who shall search the heart of a man? And yet it is written in the wisdom that is sacred, "For as he thinketh in his heart, so is he." In the old savage day, when men were but tigers on two legs, there were no murders. Men killed and got killed, and no questions were asked. Civilization has modified men's actions, without changing their hearts. At most civilization is but a tamer of tigers, and the degree of tameness in each instance will depend upon the tiger.

To the thought-sloven, crime is ever crime, and

he who commits it is a criminal. Those capable of philosophy will not agree to this. Bloodshed often springs from highest motives. Every man, every woman, every child will kill you, given opportunity and right occasion as each beholds the right. Also, the man-killing man is commonly honest, loyal, generous, self-sacrificing, tender, brave.

There are husbands and husbands. There are husbands to whom wife and home are heaven and earth. To such, a wife lost means shipwreck utter and complete. There are husbands to whom wife and home are mere incidents of existence. To such, a wife lost is no more than just a yawl torn from the davits and washed overboard in a storm. To which class did McFarland belong? To what extent had civilization tamed in him the tiger's heart? "For as he thinketh in his heart, so is he."

That he did not kill at once, but waited, the state used against McFarland to fix deliberation—that *sine qua non* when the state itself would kill. "There was no sudden heat of passion," the state argued: "he killed with deliberation." Deliberation! What is it? Once a cotton ship came into port, calm, even, tranquil, deliberate—the picture of a ship at peace with all the ocean. Between decks, down deep under her battened hatches the ship was a hell of fire and smoke, and had been for months. And all man's ingenuity was powerless to save her. Who will say that during those weeks upon weeks, when he went to and fro in his own affairs, McFarland was not burning in a hell into which his jealousy had thrust him?

The law!

Had Richardson been openly torturing the flesh

of McFarland with fire the law would have cried to McFarland: "Kill him!" But, if Richardson's love for the woman was only racking the soul of McFarland, doing no more than just holding the white-hot irons on his heart, by the law's word McFarland might do no more than sue for money. How wise, how sufficient, how admirable is the law! And how adequate in its redress of wrongs!

How well, too, it knows a value! Some hungry midnight individual is ripping a board off your smokehouse with final designs on a ham. The law upholds you while you creep to the back porch and fill the illicit ham-hunter as full of lead as a bag of bullets. An individual, with no better motive than vilification, comes to your door at noon and applies every slanderous epithet to wife, daughter, sister, mother, while the ears of an eager neighborhood are waving like a field of wheat. The law says you shall not shoot the slanderer; you are to sue for money. How excellent is law!

"For as he thinketh in his heart, so is he." What in his heart did McFarland think of the killing of Richardson? What name did he give himself in his heart? The law, since it dare not contradict omnipotence, concedes this heart judicature and talks of "an intent." After which, the law watches not the heart, but the hands. This upon the principle that the heart was thinking what the hands have done, a position not impregnable. Bearing in mind that heart-sanction, and how far McFarland might have had it, was Richardson murdered?

For myself—concluded Cummings—I do not seek to set a fashion in justice. Knowing man's nature and woman's nature, however, their strengths

and their weaknesses, the name of which is legion, I would never vote to hang where the *casus belli* was a woman. Moreover, were I business manager of a people, I'd hang folk not for what they do, but for what they are.

Richardson lingered a week. Mrs. McFarland sat night and day at his bedside. As death drew down upon him he stretched out his hand to her. She took it, kissed it. The Reverend Henry Ward Beecher then said the words that made them man and wife.

"Sweetheart," said Richardson, as she stooped to kiss his lips, "yours was a love worth living for. Even more is it a love worth dying for."

VII.

THE VENGEANCE OF SCANNELL.

In 1869 Boss Tweed was at the summit of his power. New York City was his Rome; and he, it's Cæsar, had taken the town into his lap, as a Dutch woman might a goose, and was plucking it to feather the venal nests of himself and his ring. There have been Tammany bosses since, but none to resemble Tweed. His smile meant position, fortune; his frown spelled bankruptcy, loss of liberty, even death. His word could free the guilty or lock the innocent in jail. The mob loved him. He had courage, strength—strength of head, strength of heart, strength of hand. He had shone a particular star in the old fire department, and ran with Number Six in an hour when enthusiastic practitioners at the brakes set the torch to houses for the mere glory of "putting them out." With a speaking trumpet in one hand and a spanner wrench in the other he had fought the members of rival companies and sent more men to the hospital on shutters than any fireman of his time. Now in his topmost touch of power he was as free with his money as he had ever been with his fist. The poor of the city appealed, and he gave them $50,000. His daughter married, and in flowers, music, and nuptial what not he spent $750,000. His

Americus Club at Greenwich, according to what tales were told—and believed—was a scene of opulence and Oriental luxury. Two prominent papers —they still flourish and might not at this time and in this connection care to read their names—were running a jealous race as to which should first collect $200,000 to rear a monument commemorative of his "public services." All this; and then in a brief half year deserted, friendless, helpless, he was the inmate of a jail! At slightest touch his mounting fortunes had fallen cluttering into ruin like a house built of cards.

Just as Cæsar had his Brutus and his Antony, so, also, was there opposition to Tweed. Some there were who refused to fear him. Eminent among those who did not fear but fought him was John Scannell. It was an age which developed strong characters, but none stronger than Scannell. Still on the sunrise side of thirty, he was tall and straight and clean, and strung like a bow. His spirit, high and thoroughbred, evinced itself in that impalpable something which horsemen clutch at in the word "class."

Although fighting Tweed and Tweed rule, John Scannell cared little for politics, nothing at all for office. His tastes were literary, his bent was for the theater, and he found his companions among such as Hackett, Booth, Florence, Barrett, Davenport, and Boucicault. Had all of the world's copies of Shakespeare been burned, John Scannell might have saved the poet to humanity. For he could repeat every line that the Warwickshire thief ever wrote. Also, he liked romance, adventure. With soul of fire and courage as cold and hard as arctic

ice he came too late. Had he lived in the day of that pearl-sown dragonness, Elizabeth, his name would have been written with those of Raleigh, Drake, and Oxenham.

John Scannell made an idol of his younger brother, Florence. Unlike the elder Scannell, who preferred books to barrooms, King Lear to a cart-tail speech, Florence went in for office and the slam-bang of the campaign. Also, in the face of all that the Tweed ring could do to prevent it, Florence had served one term as alderman and was making a canvass for his second, with victory, despite the ring's worst efforts, roundly assured.

The ring was desperate. As an alderman, Florence Scannell had been a stumbling block in the paths of ring license. And what was to be done? Money and threats were powerless. Nor did the time-worn trick of arrest and trial and sentence to Sing Sing on false charges offer any certainty of success. In a war on his brother, John Scannell must be accounted for. He was rich, prominent, of granite will. Moreover, he was intrenched as behind ramparts in the warm hearts of a multitude.

But the ring was urged of a great need. Florence Scannell must be "stopped" at any bloody cost; he must not be returned to the council. And so the "word"—that word which no man heard and all men understood—was sent among the Danites of the ring. Florence Scannell must be dealt with; John Scannell, too, must die. There was no plan, no suggestion of when or how or by whom the double murder was to find accomplishment. That was left to the decision of event. But the "word" was in the ears of a dozen ring assassins,

any one of whom would kill on the first safe chance that offered.

There was a ring desperado, Donahue, who kept a grogshop in Second Avenue where it corners Twenty-second Street. Donahue was a trusted ruffian of the ring. He, like others of his evil feather, had received the "word" which meant death to the Scannells. Also, he was ready to act. Blood was as nothing to Donahue; he had already slain one and murderously wounded another. Moreover, to kill a Scannell would invoke prosperity and focus upon him the warmest rays of ring favor.

It was registration day. The city—the local elections were then held late in December—was making that preliminary roll-call required of the law. The ring, with the use of repeaters, was falsely swelling the registration for the final steal. Donahue's drinking den was headquarters for what ring repeaters were to be used in that ward, Florence Scannell's ward. There were fourscore or more of these criminals in the rear room of Donahue's bar.

Florence Scannell, with four of his men and accompanied by John Scannell, moving on the scent of fraud, came into Donahue's. Florence, aware of the whereabouts of the repeaters, walked to the door of the rear room and sought to enter. The door was locked.

Donahue stood scowlingly behind the bar. "Don't go in there, Florrie," he cried as the latter tried the door. There was murder in Donahue's heart; it glowed dully in his bleary eye. "Don't go in there," he said again.

Florence Scannell, baffled by the locked door, gave Donahue a smile full of meaning and turned and

stood against the bar, his back toward Donahue.

Some one in the rear room who had heard without understanding those efforts to enter, unlocked the door. With that the four followers of Florence Scannell made a rush.

The entrance of the four fell like a fear upon the lawbreakers. They felt like cats in a strange garret, being all from out of town, and deemed the invading four an advance guard of justice in pursuit of them. There was a deal of commotion, the rear room door through which the four had rushed becoming closed in the stampede.

John Scannell, speaking years afterward of Donahue's death, told of that riot in Donahue's rear room. Said he:

"I had met Florrie only a block or two away and didn't understand his purpose in going to Donahue's. When the door of the back room was opened, after Florrie had failed to get in, the four men with Florrie took bale-sticks from beneath their coats and tore into the mob of repeaters. The repeaters didn't fight back much, for they were strangers from Philadelphia and had no notion of the strength against them or of their surroundings. Florrie's four went cracking heads right and left, while the repeaters did no more than just their best to escape through doors and windows. Florrie never entered the rear room. I rushed in, really to stop the war. I was afraid it would hurt Florrie at the polls. The papers all supported Tweed, they were already calling Florrie and myself 'thugs' and 'ruffians,' and I didn't want to give them any more raw material than could be helped from which to weave their lies."

While Florence Scannell's fighting four were in the rear room, and John Scannell was doing all he could to put a stop to their bale-stick assiduities, a shot rang out in the barroom. John Scannell, in the rear room, couldn't see and might only guess the meaning of that firing. Donahue, seizing the safe advantage of Florence Scannell's position and John's absence from the room, had shot the younger Scannell from behind. There was no word of warning; between them passed no looks of difference; it was murder cold and safe and cowardly. Florence Scannell's first news of his peril was a bullet in his back.

John Scannell rushed in from the rear room. His eye rested on his brother, half lying, half sitting against the base of the bar. In front of him stood a shoulder-hitter of the ring. John Scannell's hand sought his pistol, a 45-caliber Colt's. There was a flash; the ring shoulder-hitter fell, shot through the neck. He still lives to grace in his profitless old age the New York streets, but his neck isn't in its straight uprightness all that a particular heart could wish.

Through the smoke of John Scannell's pistol came a broken, husky voice:

"John, it's Donahue," whispered Florence.

John Scannell sprang to the front door. Donahue, fear-spurred, was a block away, running with all his speed. In an instant John Scannell was in pursuit. The glance he gave his brother as he passed told him that the latter had been wounded to the death. Whereupon a great hunger of revenge swallowed him up.

Donahue made what speed he might, but a vicious

life was clogging him. His pursuer, hate-winged with the one vast thought of vengeance, was overhauling him. Donahue, whose frightened eye each moment swept his shoulder, beheld his fate descending. Despair claimed him. There was a police station near at hand. If he could but reach it he would be safe! The police, the ring police, would protect him! They were allies as well as officers!

These thoughts upheld the murderer. He begged of all his energies and panted to the door. Even as he did so John Scannell's pistol spoke and Donahue fell in among the bluecoats. The Scannell bullet had shattered an arm. It was a long shot; but Hate and Revenge have the eyes of hawks.

John Scannell, heavy of heart, carried his brother to the hospital. Then he gave bail on charges of shooting both the ring ruffian and Donahue wounded in the door of the police. Donahue was not arrested. The papers, Tweed-flatterers and ring-servers for the most part, filled up with yarns of how the Scannells made "an unprovoked attack" on Donahue's place and John Scannell in the smoky confusion had himself shot his brother Florence.

The election came and passed. Peter B. Sweeny, the Tweed intelligence, was the potent one behind the throne of the ring. Sweeny sat alone at his desk. It was a scant, gray December afternoon. The door opened and John Scannell stood before him.

"I owe you an apology, perhaps," said Scannell, "for this unannounced visit, but I have a most important word to say."

"What is it?" queried Sweeny, not at all at ease.

"My brother was elected. And yet your corrupt board is about to count him out."

"Very well; I'll look into the matter."

John Scannell closed the door, which stood ajar. When he again faced Sweeny, his pistol was in one hand, his watch in the other.

"I will give you one minute," said Scannell, "wherein to promise that my brother shall not be robbed of his election."

In the gray depths of Scannell's eyes Sweeny read his death half told.

And Sweeny promised.

Scannell put up his pistol. "I don't doubt your word," said he, "for I think you've got sense enough to keep it."

"I'll keep my word; but, remember, say nothing of this."

The shadow of a smile fell across the face of John Scannell. "I'll regard our interview as confidential," he said.

Florence Scannell was given the election; Sweeny, the fear of the grave upon him, had kept his promise.

"This is how the thing stood in my mind," said John Scannell when he gave me the incident; "my thoughts ran something like this: Florrie couldn't live, I knew that; and yet it would please him to be given the election. As for myself, I expected to get killed. The 'orders' were out to that effect. Florrie had been already shot and lay dying; it would be my turn next. I resolved to collect a deadly toll in advance. Also, my toll-collecting should make a stir. I'd been through many a battle with the Tweed crowd, and was tired of fighting

deckhands. I made up my mind to kill Tweed or Sweeny or 'Slippery Dick' Connelly; then I felt that I could afford to die. I said nothing of my intentions, but somehow they crept out. That's why Sweeny was so ready to come my way with the certificate of election. Sweeny knew I'd come expecting to kill him, and gave me his promise as the only way to keep me from realizing on my expectations. And he was careful to keep his promise for the same reason. Now, when thirty years have gone by, I'm glad he did."

"Do you regret killing Donahue?"

There drifted across the face of John Scannell a look of sadness.

"No; I don't regret killing Donahue, I regret that I had to kill him."

It is a circumstance worth the mention, though somewhat to one side, that it was John Scannell who made me acquainted with Sweeny. It was an evening in November, 1899, thirty years to the month after Scannell paid Sweeny that perilous visit when the life of Sweeny hung on the second-hand of a watch. The place was the Democrat Club, 617 Fifth Avenue. Scannell was in light and friendly conversation with a heavy-shouldered, heavy-featured man, whose thick hair showed iron-gray.

Scannell turned to me as I came up:

"Let me make you acquainted," he said, with his most courtly air—Scannell has the manners of a Chesterfield—"let me make you acquainted with Mr. Sweeny, Mr. Peter B. Sweeny."

Sweeny didn't look his age by twenty years. He lived so quietly that I had supposed him dead. Yet

there he was, robust, quick-eyed, and wearing every ear-mark of prosperity. It was plain, too, that he and Scannell felt for one another only friendliness and warm esteem. The reason was, I fancy, that each stood to the other as a leaf of his own past. I left them chatting and laughing together—Scannell, high, thorough-paced in every politeness; Sweeny, strong, shrewd, shaggy, comfortable, affable.

Speaking of John Scannell's indomitable politeness and soft gentility, it was these qualities, coupled with a quiet, hot inveteracy of temper—like burning anthracite—which made him so splendidly formidable in the eyes of the Tammany herd. They never understood him. He was so amiable and yet so distant, so polite and yet so full of peril, so moved of sentiment and yet so dangerous! They could only respect and fear him, with a fear which was like a superstition. Even the iron-bound Croker acted favorably on Scannell's faintest suggestion, and men held this office or that, went to Congress or remained at home, by virtue of a Scannell impression, told in ten words. The Croker weakness for John Scannell had this to go upon, however: had there been no Scannell, there would have been no Croker at the head of Tammany Hall.

Florence Scannell lived eight months, and was dying every moment. Paralyzed, for the bullet had chipped his spine, he lay without motion while life wasted away. And each day he besought John Scannell to cry off the vendetta against Donahue. The dying Florence wrestled with his brother for the life of the murderer, but his strivings were of no avail. The resolution of John Scannell had set

as grimly, as relentlessly, as water-chilled steel. He would have life for life; an eye for an eye, a tooth for a tooth.

"If you die, I shall kill Donahue," was his one answer.

"But, John, you won't kill Donahue; they won't give you the chance. They'll kill you as they killed me; kill you when you aren't looking. And there're my wife and children; you must live to take care of them."

"I'm not poor; neither are you. Were we both dead, there'd still be plenty for your wife and family. I give you my word, too, that it's not I, but Donahue, who is in danger. So sure as you die, I shall kill him."

Florence Scannell sent Father McGlynn to John Scannell. The latter waved the priest away.

"You'll pardon me, but I won't hear you speak of Donahue. The thing is settled; there's nothing to be said."

The hour of death came for Florence Scannell. Worn of pain and starved by sickness, he was but the ghost of what he had been. John Scannell was with him day and night.

The dying one motioned his brother to draw nearer.

"John, I shall not live an hour. And before I die I want you to make me happy. I want to die in peace. I feel differently from what I did about Donahue. If he were here and I held his life in my hand, I'd give it back to him."

"Florrie, don't! I've got to kill Donahue."

"John," whispered the dying one, "you have broken my heart."

John Scannell called upon Donahue; his hope was to force him to a fight. He would not kill him as his brother was killed; Donahue should have his chance.

Scannell was coldly steady.

"My brother is dead, and you murdered him. If you'd killed him in an honest quarrel, and with his face your way, I'd not so much as dream of following you a foot. But this was murder, plain and cowardly! You killed him when he had no difference with you, and while his back was turned. I will deal better by you. But you must fight! This sort of thing isn't new to you; you have already killed two men. You must now kill me or I'll kill you."

Donahue turned as pale as paper. He was bold, but he shrank from John Scannell as from a mystery of midnight, smelling death in his very atmosphere as cattle smell in the wind the coming storm. The talk was in Donahue's bar-room. Donahue's wife came in. She was huge and crude and owned the heart of an Amazon. She urged Donahue to fight. Donahue would say nothing. He feared Scannell, and would not accept his challenge.

It was a day of omnibuses, and an omnibus makes no bad ambush. John Scannell rode up and down in a Second Avenue 'bus, and watched for Donahue. His purpose was to take that murderer in the street.

Looking from the window of the lumbering 'bus, pitching and rolling in the ruts of Second Avenue like a Dutch galliot in a beam sea, Scannell saw Donahue on the sidewalk. Two men were with

him. Scannell slipped to the rear of the 'bus, where he could not be seen. While yet fifty feet from Donahue he stepped to the ground. The 'bus lumbered on and Scannell, pulling his pistol, walked toward Donahue.

"Get ready!"

Donahue fled like some frightened animal. He dashed through the open door of a livery stable, and out at the rear. Scannell did not shoot. He could wait; he would corner Donahue where no open door invited and permitted flight.

Something occurred which showed Scannell that his fairness would be thrown away. Scannell's business was horses, and he owned a big sale stable, a fashion of New York Tattersall's, in East 24th Street, near the old Bull's Head Tavern. Tweed had heard of that visit to Sweeny, and it set his own heart to a trot. A mob of ring killers were told to "get" Scannell. The murderers waylaid him where 24th Street crosses Lexington Avenue. The notorious Owney Geoghegan was at their head. They fired a volley, but Scannell's pistol spoke abreast of theirs. As he fell with three wounds, a bullet-convulsed Danite kept him bleeding company. The others fled. As they ran, Scannell raised himself to his elbow and fired twice. Each bullet stopped an enemy. There were no deaths to come out of all this shooting. Scannell recovered, as did the wounded would-be murderers. Scannell and the others were indicted and tried for riot, and, while the ring did all it could, it failed to control the jury. They were fair men, those twelve, and, in spite of a ring judge on the bench and ring influences all about them, returned a verdict ex-

onerating Scannell and convicting the murderous eight.

Realizing that he would be given no chance to defend himself, John Scannell disappeared. There is an aphorism which counsels fighting the devil with fire; and another which urges you to do unto others as they would do to you, and do it first. Scannell may have turned these proverbs on his wheel of thought until he felt their practical wisdom.

The once master of Wall Street, the late James Robert Keene, believed with the proverb makers. It was upon a Delmonico evening he showed me his own philosophy of life.

Said that gray osprey of the tape:

"You can't afford a sentimental extravagance any more than you can afford a money extravagance. It leads even to the bankruptcy of Hope itself. You can't afford to play a fairer or more liberal system with a man than he plays with you. If it be a game at cards, and he cheats, you must either cheat or quit. Luck, in the long run, will break evenly, and if he is to add his skill to his luck and his roguery to both, while you depend on the first two with no help from the latter, he'll defeat you. It's as though you gave him five hundred dollars every time he gave you four hundred dollars. You can't do it; it would break Standard Oil."

John Scannell was nowhere to be seen; no one knew his whereabouts. Some said he'd left town; others said he was in town, but disguised.

The hour was midnight. Donahue, with two friends, was walking in one of the more retired

streets. A man, whom none recognized, stood before them in the gloom. Not a word was spoken. There came the bluff bark of a derringer; Donahue fell, shot through the body. The stranger disappeared like a dark ghost.

John Scannell never admitted that it was he who shot down Donahue that sudden midnight. Still, a grand jury, remembering motives, presented an indictment against him. He was not arrested, since no one knew his whereabouts.

Donahue lay in the hospital; the doctors said he couldn't live. John Scannell called at the home of the District Attorney. Trinity had just struck 1 o'clock in the morning, and that officer of ring justice was between the slumbrous sheets. He arose when Scannell sent in his name, and the assurance that his purpose was one of peace.

"What I want to say," explained Scannell, as he and the District Attorney sat down in the latter's library, "is this: I am ready to come into court twelve hours from now and surrender myself. But only, mind you, upon the promise that I'll be allowed to give bail. I mustn't be held to await word from the doctors that Donahue will live. I shall come only on your promise to let me give bail. Also, I warn you not to make that promise unless you mean to keep it. Should you give it and then break it, the consequences will be most serious to yourself."

The District Attorney knew what, in the way of black prophecy, lay concealed in that final sentence. None the less he promised.

"You shall give bail; there's my hand on it."

At one o'clock that afternoon, Scannell came into

court, and the District Attorney redeemed his promise.

While Donahue tossed between life and death, an illuminative move was made by the ring. It illustrates how one man, whose courage is proof, and whose heart is swerveless, can bring a multitude to bay. The ring sent to Scannell, seeking terms of peace.

"They are soon told," said Scannell. "Donahue killed my brother. Indict Donahue and fairly try him, and I'll be satisfied. It was what Florrie himself asked. On the other hand, if the law doesn't deal with Donahue, I will."

Donahue was indicted for the murder of Florence Scannell, and upon coming out of the hospital placed under bond. Then followed a long, exasperating wait. The ring had indicted, but it wouldn't prosecute.

Three months went by. Scannell paid a visit to the powers of the ring.

"You've indicted Donahue, but you don't try him. I'll give you but three months more," he said.

The powers heard, but promised nothing. The three months went by and Donahue vanished from the town.

While Donahue is in hiding, take up an angle of the affair which should show the cool sagacity of Scannell and his clear reading of human nature. Let him give it in his own words:

"I was tried twice for killing Donahue. At the first trial the jury was made up of six Americans and six foreign-born men. The six Americans voted for acquittal; the six from Europe insisted

upon conviction. It was a hung jury, and I was remanded to the Tombs to await a second trial.

"The Tombs is a good place in which to think. There is little to distract, less to disturb"—Scannell smiled cynically—"and I did a deal of thinking. Those six aliens who voted 'Guilty!' and those six Americans who wouldn't have it so, occupied my thoughts. I had had a deal to do with horses and the breeding of them, and I knew what was meant by heredity. What is true of horse-breeding is true of man-breeding, and my thoughts rambled along after this fashion: 'The European has been adjusted and readjusted in his rights and wrongs, for over two thousand years, by force and effect of law. His natural thought has been revamped and made over until his notion of justice is his notion of law. The American does not adhere to this theory of Europe. He has his law, yes. And he will follow it—with limitations. The American has his law of murder. It is no more furnished with gates of escape than are the laws of England, Germany, France. But back in the heart of an American sentimentalism are maintained exceptions. The man of Europe, fitting law to fact, will cut and baste and stitch a verdict as a tailor might a coat. He looks to no natural right, but only to the law. It's the other way about with your American. Above and beyond the strict terms of statute, an American can understand a justice. The mere letter of his law would grant no relief. But, were you to kill one who had murdered a brother, or wronged a sister, or slandered a wife, the American will come to your defense in the face of a statute. He will do a justice though he defy a law.'

"As I say, I did a world of thinking, and in the end I resolved that I'd be tried only by twelve Americans, full-blown, full-blooded, born to the manor. I myself was an American, and my Americanism had come in the front door and down the middle aisle. I'd have no European on the jury which next tried me."

John Scannell told Attorney Beach what he desired in the way of a jury. But Beach, it would seem, didn't feel obliged to follow the Scannell instructions. It led to entanglements in court; with the last of it, however, Scannell had his jury way.

The first juror accepted by Beach was from France.

"Judge Beach," whispered Scannell, "I want none but Americans on the jury."

Beach flushed, but peremptorily challenged the juror. Then he addressed the court:

"Your honor, I desire to withdraw from this case. It is evident that my management of it doesn't meet with the approval of my client."

The judge had overheard what Scannell said, and understood the hitch. He looked at Scannell, and asked what he had to say.

"What can I say?" returned Scannell. "If Judge Beach insists upon withdrawing, I take it he'll withdraw." Then, with the cold flicker of a smile, he added: "I, myself, would withdraw from the case if I could, but, unlike Judge Beach, I can't."

The judge took the business between his own hands:

"Judge Beach, I refuse to allow you to withdraw. As an officer of the court, you must proceed. Five minutes from now you will thank me for saying so."

Beach submitted, and the trial went on. Scannell had his jury of Americans, and the twelve justified the wisdom of their selection by finding a verdict of acquittal.

The name of the judge who so coldly yet so sensibly held Beach to the trial table was Barrett. He was the judge, too, who tried Croker on a charge of murder about the same time. Croker didn't kill his man; but Barrett, a Tweed judge, went miles to the left of law and right in a bald effort to convict him. Years afterward, Barrett acknowledged Croker's innocence in one of the magazines, and Croker kept Barrett on the bench.

Twenty-nine years went by, and Barrett dined with Croker at the Democrat Club. Barrett had gone his way; Croker was sitting with two or three in the general room. John Scannell came in—the usual glass of fashion and mold of form. He greeted Croker:

"How are you, Richard?"

Croker, the born herd-leader and natural captain, sly, dexterous, with the final courage of a bulldog, was, in many of the expressions of his nature, peculiarly child-like. He had nothing of Scannell's finish, nothing of his courtliness, nothing of his all-round knowledge of the world. The two, while closest friends for over fifty years, were as apart as the poles.

Without replying to Scannell's greeting, Croker looked up petulantly, like a child who had been denied:

"Why didn't you come to dinner with Barrett and me?"

"Didn't you get my note? I couldn't come; I had an engagement."

"You could have come if you'd wanted to. You didn't want to eat dinner with Barrett."

Scannell's gray eyes became as hard as flint.

"All right; have it that way, then. I won't eat dinner with Judge Barrett."

"No," growled Croker; "you're angry with him because he tried you for killing Donahue."

"Not at all; I'm only angry with him for trying you. You killed no one. I killed Donahue, and I took my chances. More than that, Barrett gave me a fair trial. But you killed no one; you were tried on a trumped-up charge. And yet, if ever one man tried to put a halter about the innocent neck of another, Judge Barrett tried to put one about yours. As you say, I won't sit down to dinner with Judge Barrett; but, when you speak of it hereafter, please get the reason right."

It doubtless struck Croker at this crisis that the conversation possessed elements of queerness, when one considered the Tammany eminence of himself and Scannell, an eminence which, in a modern city of 4,000,000 people, implied the powers of an ancient dictatorship. Croker shifted the subject to the more innocent one of cigars, and became involved in a deep discussion with the club steward over the comparative merits of divers brands. Scannell drew up a chair, and every reference to Barrett and those judge-and-jury experiences of the long ago was allowed to lapse.

Three years had slipped away since the murder of Florence Scannell. Donahue was never seen and seldom heard of. Now and then a half whisper

would go up and down that he had been briefly in town. John Scannell, calm, equal, cold, never smiled and never spoke of Donahue.

It was evening. In a basement at the northwest corner of Broadway and Twenty-eighth Street, under the present Fifth Avenue Theater, was a poolroom. The entrance was in Twenty-eighth Street. John Scannell, walking in Broadway, paused and entered the poolroom. Donahue was not in his thoughts. He believed him fifteen hundred miles away, for a waif-word had blown up from the South that Donahue's refuge was Havana.

"While I never faltered in my intention of killing Donahue," said Scannell, speaking of the fall of that last curtain, "I had given up all expectation of finding him. In the beginning, Donahue was always on my mind. I never doubled a street corner without looking for him. But when days and weeks and months and at last years went by, and no Donahue, I lost hope of meeting him.

"My stepping into the poolroom was merest chance. I had sold a fast horse, and it had that day raced in a special contest at Morris Park. It was my desire to learn the result that led me into the poolroom. The poolrooms in those days were wide open; anybody could go in and out at will.

"Donahue was about to quit the place when I opened the door. Had I been five minutes later, or had he started five minutes sooner, we wouldn't have met. He had been in town several days, but it was kept from my knowledge. He was going to catch the boat when I stopped him; there was a ticket to Havana in his pocket."

There were two hundred people in the poolroom

when Scannell entered, but he saw only one. Before him stood Donahue. The man who had killed his brother, the man for whom he had hoped and hunted, was delivered into his hand. Almost three years had sped since he beheld his brother lying in bloody helplessness. The picture was with him still. Almost three years had come and gone—more than one thousand days and one thousand nights, and each day he had hoped and each night prayed that his hour of revenge might strike. It had arrived, and the murky glory of the moment filled his heart.

As Scannell gazed on Donahue, the dogged moments seemed to pause. Scannell's eyes were lighted up with the lamps of a white hate. Donahue's cheek was the color of ashes; he couldn't command himself. It was as though he had fallen into a trance of horror!

Gripped in Donahue's right hand, hidden in the pocket of his coat, was a heavy pistol. It was found frozen in his fingers as he lay dead. In that horror-trance at sight of Scannell, his hand turned nerveless; he couldn't fire.

Donahue called in a dry voice, like a raven's croak:

"John!"

Donahue was calling to one who should have been with him; Scannell smiled only the more. The blood of his brother was calling to him.

Scannell continued to look on Donahue while the moments snailed away. And this by his own word was what he thought:

"They say you're bullet-proof, that no lead will kill you. I'll make a promise in your favor. If you live through this, if you get by me this time, I'll call

my vengeance off. I'll follow you no more—let the dead past bury its dead."

Scannell could see that Donahue grasped in his hand a pistol. He hoped that Donahue would shoot. He cared not if he himself died or no; he was sure he would live to kill Donahue, and that was the limit of his wish.

Scannell's thoughts took a new direction:

"My pistol carries the heaviest of balls. When I shoot this man the bullet will go through and through and wound or kill some one of those crowded behind him."

There was truth in this. As Scannell stood in the door, the two hundred onlookers, as ashen-white as Donahue, were to the rear and in the line of fire.

Scannell began to pace slowly around Donahue, who—fear-stiffened and incapable—could only turn to meet him. Scannell's unwinking glance never wavered from the eyes of Donahue. The latter was held as by a spell. Slowly Scannell went about Donahue to the right, never widening, never lessening the distance. At last he had forced Donahue crosswise of the room, and naught behind him save the safe, insensate wall.

Not until then did Scannell's hand seek his weapon. And even then he went slowly after it, still tacitly inviting Donahue to action. But Donahue was as rigidly helpless as a statue of ice.

With granite deliberation Scannell drew his pistol. Donahue, licking a dry lip, stared as one planet-struck. Between those murderous eyes which had lined the shot that killed his brother, Scannell's revenge went crashing. Donahue crippled forward, half-turned and, with a sob, fell head-

long. As Scannell looked on his prone enemy his bosom began filling with the tides of a forgotten peace. It was as though a stone had been rolled from his heart.

Scannell went slowly forth; and no hour had been so sweet, nor the world so bright before. As he paused at the Broadway corner an officer touched his elbow. Scannell wheeled and followed him. The officer led the way back to the dead Donahue, lying where he fell.

There was a captain of police who spoke to Scannell as he returned with the officer. His words were:

"Do you see what you've done?"

"Yes! And I'll show you what I think of it."

Again came the roar of the pistol. Scannell the inveterate had sent a second bullet into the dead Donahue, stretched on the floor. The body jumped with the springy concussion of the shot, and then lay still.

VIII.

THE CHAMBERS STREET BLOODSHED.

Toyed with by currents, a prey to contending winds, commercial, political, social, literary and theatrical, the world of New York City, not to mention the world at large, was wallowing and weltering like a steamer in a beam sea. Gray-haired men of old-fashioned speech and feeling still spoke of Broad as "Smell Street," and identified South William as "Dirty Lane"; Tippecanoe Harrison had been inaugurated to die within a month and be remembered as the "Good President" in disfavor of Tyler, the inadequate, who succeeded him; Martin Van Buren was journeying toward a Kinderhook retirement, pausing briefly the while to be "received" at the Bowery—now Thalia—Theater, and dined at that hotel marvel, the just-finished Astor House; the United States Bank of Philadelphia had failed for the second time, at a loss to shareholders and depositors of $26,500,000, and Nick Biddle was being indicted therefor upon charges of robbery and embezzlement; Horace Greeley was founding his *Tribune,* and per incident giving work to Henry J. Raymond and Charles A. Dana at $8 and $14 a week, respectively; Knoop was fiddling, Braham was singing, and Ellsler was dancing the *Cachuca*

at the Park to earn money wherewith to complete Bunker Hill monument; Mayor Varian was deploring the disorder at the Five Points; Washington Irving was receiving his appointment to Madrid from Secretary of State Webster; Lucretia Mott was lecturing on Woman's Rights; Donald Clark, the mad poet, was dying in the poorhouse; the young bloods about town were using their hats as a carrying place for gloves, handkerchiefs and cigars; the great ball to Dickens was in hopeful preparation at Washington Hall, as was the equally great dinner to follow at the City Hotel; Boucicault's *London Assurance* was in fullest flourish, with Charlotte Cushman in the rôle of *Lady Gay Spanker;* the elder Belmont had met Mr. Heyward at ten paces and been shot in the hip as the last chapter of a Niblo Garden rumpus; up at Forty-second Street and Fifth Avenue they were letting the water into the new Croton reservoir; Dr. and Mrs. Mott at their "palatial home in Bleecker Street" were giving a party to the Prince de Joinville, and the Duers, Wainwrights, Howlands, Grinnells, Barnards, LeRoys, Hoffmans, Blatchfords, Bowens, Wards, Aspenwalls, Griswolds, Minturns, Halls and Hones had gone to that polite festival; John Quincy Adams was urging his resolution for the abrogation of House Rule 21, which "Rejected without reading all Petitions to Abolish or Limit Slavery," and being fought tooth and nail by Butler, of Kentucky, and Arnold, of Tennessee; Stanley, of North Carolina, a gnat-weight, had assaulted Mr. Wise, of Virginia, on the floor of Congress, and earned the softened warning from William Cullen Bryant in the *Evening Post* of:

Cock Robin Stanley do not let
Your angry passions rise;
Your little hands were never made
To pummel Mr. Wise.

Banks were failing, panic was raging, while over at the City Hotel Auctioneer Shaw stood offering the late Commodore Chauncey's famous sherry at $4 a bottle; Nathaniel Hawthorne had not yet been discovered by the English, and Nathaniel Willis had not yet been thrashed by Edwin Forrest in Washington Square, "for interfering in his domestic affairs." James Watson Webb, of the *Enquirer,* had not yet been made postmaster, and was in a fever of resentment because of that White House neglect; old Andrew Jackson, from his grim retreat at the Hermitage, was burning the political grass about the erring moccasins of Henry Clay, and Fenimore Cooper, morbid, wrathful, almost misanthropical, was going about inventing his Bread and Cheese Club as a last method of providing himself with companions if not with friends. Such was the world in that far hour, as from its towers and minarets the priests of New York City called humanity to prayer.

The Colt family possessed wealth, social place, and an old-blood respectability. Their house stood in Broadway, where that thoroughfare cornered on the southwest with Duane, and dated from a time when Broadway north of Vesey was known as Great George Street.

John C. Colt was the younger and, if anything, the favorite son. Slim, quick, slight, in manner reserved, he moved with an alert, springy step, and was not wanting in a high-bred air from which his

dress, always spic and span, and in the last extreme of fashion, in no wise subtracted. His forehead, well-shaped but narrow, suggested research and education rather than deep thought. Marked by those lines which hint of alcoves, books and midnight lamps, it was the forehead not of the philosopher, but the student. The aquiline nose gave promise of temperament and resolution. The wide mouth, lean and tight about the lips, argued for selfishness and an indurated egotism which would burn another's barn to boil its own egg. The chin, pointed, bony, was marred by ophidian angles which made one think of adders.

And yet, more than nose or mouth or adder chin, Colt's eyes were his emphatic feature. Cold, hard, arctic, carrying in their gray depths a sinister shimmer like the gleam of a new bowie, they told of fires within—fires for the most part banked, but which might break forth at a moment's warning in a consuming, flaming whirl of passion. Also, they were much too narrowly neighbors, set much too closely together, to inspire or even permit the common confidence of mankind. There was that in the expression of those eyes which distinguished their possessor, to even a casual appreciation, as not alone an uncertain but a dangerous quantity. Altogether, Colt's eyes were the eyes of a killer, a killer whose time had not yet come.

Colt, having had a difference with his family, abandoned the ancestral roof at Broadway and Duane, and took lodgings with the very respectable Mrs. Pickett, number 71 Greenwich Street. The elder Colts, in their pride, had planned a marriage for him which, as they measured such matters,

would have matched with his social degree, and he had not scrupled to disappoint them.

Self-willed, self-indulgent, careless of what Colt *pere* and *mere* might say or think or prefer, he had fallen in love with Miss Henshaw, who, alone in the world and a spinster, lived poorly by dress-making and general sewing at number 11 Cherry Street. The very location smelled of the plebeian; for while Washington, when President, had had his home at number 3 Cherry, and the stately Martha had there held routs and receptions which crowded with their waiting carriages the thoroughfare from Frankfort to Roosevelt Street and back again, that particular state and splendor occurred fully sixty years and more before. Cherry Hill, as a center of fashion, was no longer considered, but had fallen as a residence region to mechanics, small trades-people, sailor folk, and such mean and unconsidered social trifles as seamstress Henshaw.

What, under the humiliating circumstances, should be the conduct of folk of a social position which ranked with the Colts'? The Colts replied promptly. They knew what was due their high worth and eminent station; and when their silent, yet no less hard-bitted, son told them he would wed none other than the little yellow-haired sewing woman in Cherry Street, there befell a mighty turmoil in that pride-blown house. Colt *pere* cursed his son for a clod and an ingrate; Colt *mere* went wringing her aristocratical hands, and ejaculating against she-vipers who, invited to your hearth for the one innocent purpose of cutting, basting, and stitching frocks, took poisonous advantage to sting you to death.

The curses of the father, the tears of the mother, however, had but the one unsatisfying effect upon the son of causing him to pack his cowskin trunk and carpet bags, and move to Mrs. Pickett's. It is to be fancied, also, in this somewhat tumultuous connection, that Miss Henshaw gave proper weight to the sacrifices which lover Colt was making in her sweet favor; for no one could have appeared more devoted than did she, when he conveyed her to an occasional dinner at the Astor or an even more occasional evening at Niblo's or the Park.

Miss Henshaw was an extremely beautiful girl. She presented the rarest of rare combination, warm, large, deep, black eyes, hair the color of corn, the whole set off by a cream-and-rose complexion. Nor had she been moved of any famine of admiration in choosing Colt to be her lover. He had been selected from among sighing scores. This latter truth made things worse, not better, in the elevated estimation of the elder Colts. They insisted that Miss Henshaw was "not alone vulgar, but common." So saying, they turned squarely their patrician backs when the son proposed making her their daughter, and translating her from the obscurity of Cherry Street to the socially superior corner of Broadway and Duane.

Colt was not without ambitions, which were all literary. He had tried sketches and short stories, but the *Mirror,* the *Knickerbocker,* and *Graham's,* over in Philadelphia, had refused most consistently to accept them. They said that the Colt literary output wanted quality, atmosphere, interest, and could claim to be pulselessly nothing beyond fairly good English. For a long story which he wrote,

Colt could find neither publisher nor encouragement.

These joltings, not to say jarrings, had served to embitter him, and make harder in him that which had been much too hard before.

If Colt owned any touch of genius, it was for figures and accounts. Upon the recommendation of the Putnams, who had failed to see their profitable way toward publishing his story, he had set himself to writing what he meant should be a textbook upon the science of bookkeeping.

Mrs. Pickett's Greenwich Street boarding-house was not rich in advantages of book-writing sort. It was unquiet, crowded; wherefore, the better to go forward with his labors, Colt took a second-floor room at the southwest corner of Broadway and Chambers. True, what with omnibuses in Broadway, and carts and drays rumbling over the cobbles of Chambers Street, the neighborhood was noisy enough. But it was an outside, not an inside, noise; and all who have ever driven a quill to earn their daily crust will tell you that, as between outside and inside noises, there's not alone a distinction but all the difference in the world. Moreover, Mr. Wheeler, in a next room, connected with Colt's by a door in the separating partition, taught a school for bookkeeping. This made it handy for Colt, who, as he bent to his difficult oar of authorship, could in a moment consult the expert Wheeler upon knotty and recondite points.

Samuel Adams, large, girthy, red-faced, choleric, kept a printing shop on the east side of William Street, midway between Fulton and John. The Adams shop was in a building which, throughout the eighteenth century, had been known as the

Golden Hill Inn. It was built as a tavern in 1694, just following the austere caliphate of that excellent Irishman and Governor, Lord Dongan, and had been continued as a tavern until, in what rebellious days preceded the Revolution, it became the common haunt and hang-out of the Liberty boys. It was there, over their wine and their Hollands, that these violent souls plotted resistance to King George, and the setting-up of a new republic. Washington Irving, born just across the street, played about its insurrectionary steps as a child, albeit, at that time—the town being in the possession of invading British—those steps were tamely innocuous enough.

Those who like the old may still find the Golden Hill Inn, with hardly a brick disturbed. Also, having found it, and been inspired thereby, they may ponder the heroic days that were and wonder why some historical society has not yet taken title to the property and arranged for its preservation as a Revolutionary landmark. Boston would have done so long ago; but in reverence for the past, and a liberal willingness to spend money on it, there is a difference between New York and Boston altogether in favor of Boston.

While the Putnams furnished the idea, Colt had determined to own and publish his bookkeeping manual himself. Printing it as fast as it was written, he had made a deal with printer Adams. As the sheets were run off and corrected, printer Adams sent them to author Colt, in his Broadway-Chambers Street room, for a last revision.

Upon a certain September day in 1841, the book was well on toward completion, and author Colt sat busy over the final proofs. The day was Friday,

cold and raw and damp. About two o'clock in the afternoon, printer Adams left his Golden Hill Inn shop in William Street, saying that he was going to make collections to meet the Saturday payroll, and might not return that day. That was the last seen of printer Adams alive. He never returned, but, on the contrary, disappeared as completely as though, walking off some dock-head, the North River had swallowed him up.

There was the usual hue and cry, but no trace of printer Adams could be found. His business was healthy; he owed nobody; there existed no room for the theory that he had run away from his creditors. Whereupon his friends—after the usual friendly manner—recalling the thick neck and full-fed habit, winked archly, and intimated that there was a woman in the case.

Down in the East River, at the foot of Maiden Lane, lay the barkentine *Dalmatia,* taking in cargo for New Orleans. It was Sunday night. She was to sail in the morning, and the last item of her freight had been got snugly under hatches. Everything about the *Dalmatia,* alow and aloft, showed shipshape and Bristol fashion. Her crew was complete, her stores taken in; she lay alertly ready to cast off her lines the Monday morning moment Captain Hawke should step aboard.

That marine potentate at last appeared, but it was only to tell mate Tracy—which he did gloomily enough—that they must hold on for another week. Mrs. Stevens, wife of part-owner Stevens, who lived at Castle Stevens over on the Jersey shore, had been seized of what the novel writers—having it in mind to kill off that poor doomed young

woman—invest their heroine with under the name of a "hacking cough." The doctors, with winter at the door, had said that Mrs. Stevens of the hacking cough must find out fairer skies and softer climes, and mentioned New Orleans. The *Dalmatia,* contemplating passengers, was rich in cabins. It seemed the very thing! Part-owner Stevens had sent his black servant across from Castle Stevens with a note to Captain Hawke of the *Dalmatia,* bidding him hold his ship for the coming of Mrs. Stevens and her hacking cough. It was thought that the lady and her malady—she had many trunks to pack, to say naught of a multitude of unforeseen muslins to make ready—would be prepared to sail in a week.

Mate Tracy thus informed, unbosomed his hairy nautical chest of a cataract of deep, ocean-going oaths, which Captain Hawke sympathetically echoed. It was no use; these were "owners' orders," and so the *Dalmatia* was held rocking on her impatient ropes.

Monday the weather softened; Tuesday opened softer still. As the sun's downpour began burning the planks, a sickening odor became apparent in and about the *Dalmatia.* It grew, until it enveloped the ship like a miasma. The forward hatch-cover was pulled off. There remained no room for doubt; the awful source of that odor was in the hold.

Cargoes are sacred things, and, like the ten commandments, not lightly to be broken. Mate Tracy, standing afar from the open, malodorous hatch, sent ashore for Captain Hawke, drinking his bowl of bishop with a bevy of fellow sea-dogs at Lovejoy's Hotel. Captain Hawke, thus appealed to,

came down to the ship and ordered the cargo broken out. There could be no talk of putting to sea with that fearful odor in control of the decks. The men wouldn't be able to work the ship. More, they wouldn't take her out of the lower bay, unless so pungent a mystery were solved.

Mate Tracy ordered the required tackle rigged, and began hoisting out bale and box, cask and case. It proved to be the third load in the slings, a packing case of moderate size bound about with strap-iron, and addressed to "John Benoiste, St. Louis, Mo., *via* New Orleans," which was making all the trouble. Mate Tracy ordered the offensive box swung to the dock, and ripped open. What they beheld staggered the onlookers. Knees to chin, there lay the dead and more or less dismembered body of missing printer Adams.

Word of the murder ran throughout the town like fire in dry grass. The leatherhead police began looking for the murderer.

Down in William Street, at the old Golden Hill Inn, printer Adams' bookkeeper got together a name-list of those from whom the murdered man, that cold, raw Friday afternoon, had gone forth to collect money. Among these was Colt.

Wheeler, teaching bookkeeping in the room next to Colt's, began thinking and remembering. He recalled that upon the fatal Friday, as he sat trying to hammer the rudiments of his tasteless art into the skull of a pupil unusually thick and dull, he had heard angry talk in Colt's room. There was the word "liar!" followed by the sound of scuffling. Then he heard a heavy fall. Wheeler explained how he had peered through the keyhole in the

locked door, which opened from his own room into that of Colt's. He had made out little; nothing, indeed, beyond the back of a man in the act of bending above some object which lay on the floor. Since there befell no more scuffling and no more loud talk, Wheeler had returned to the thick-skulled pupil and the art and mystery of bookkeeping.

Upon this showing, and because indubitably some one had murdered printer Adams, the coroner directed Colt's arrest. The leatherhead police took him into custody, and he was lodged in the then recently completed Tombs. Colt remained icily calm and self-possessed; he would say nothing. It was one of the chief influences against him at the trial that he gave neither word nor sign concerning the killing of Adams, until brought face to face with the identifying drayman who carted the grewsome packing case to the *Dalmatia*.

Upon seeing the drayman, and hearing himself sworn to as the person who had employed him, Colt, as coolly calm as before, and in no wise shaken, made what he called a confession. It became part of the record in "The People against John C. Colt," and running in these words gave the story of the murder from the only mouth that could tell it.

> Samuel Adams called on Friday at my office, as near as I can recollect, between the hours of three and four o'clock. Whether he had any special object in view in coming at that time or not, I cannot say. When he entered my office, I was sitting at my table engaged in looking over a manuscript account book; that is, I was reading over the entries, and recon-

sidering the arithmetical calculations belonging to the entries.

Mr. Adams seated himself in a chair near the table, within arm's length of myself, so near that had we both leaned our heads forward toward each other they would have touched. I spoke of my account, which he had at my request handed me ten or twelve days before. I stated to him that his account was wrong and read him at the same time the account as I had made it out on another piece of paper, and requested him to alter his account as I had it.

He objected to it at first, saying that I did not understand printing. He, however, altered his figures as I read them from my account. I made the remark that I would give $10, or some such sum, if I was not right. After he had altered his figures, on looking it over, he said he was right at first.

He made the remark that I meant to cheat him. Word followed word, until we came to blows. The words "you lie" were passed, and several slight blows followed, until I received a blow across my mouth and nose which caused my nose to slightly bleed. Until then, I do not know that I felt like exerting myself to strong defence. I believe I then struck him violently with my fist.

We grappled with each other, and I was shoved against the wall, with my side next to the table. There was a hammer on the table, which I then immediately seized hold of, and instantly struck him over the head. At this

time, his hat was in my face, his face downward. I do not think he saw me seize the hammer.

The seizing of the hammer and the blow were instantaneous. I think this blow knocked his hat off, but will not be positive. At the time, I only remember of his twisting my neck handkerchief so tight that it seemed to me as if I lost all power of reason. Still, I was striking away with the hammer.

Whether he attempted to get the hammer away from me or not, I cannot say. I do not think he did. The first sense of thought was, it seems as though his hand or something brushed from my neck downward. I cannot say that I had any sense or reflection until I heard a knock at the door, yet a faint idea remains that I shoved him off me so that he fell over, but of this I cannot say.

When I heard the knock on the door I was startled, and am fully conscious of going and turning the key so as to lock it. I then sat down, for I felt very weak and sick. After sitting for a few minutes, and seeing so much blood, I went and looked at poor Adams, who breathed quite loud for several minutes. In the end he threw his arms out, and was silent. I recollect taking him by the hand, which seemed lifeless, and the horrid thrill that came over me that I had killed him.

About this time some noise startled me. I felt agitated and frightened. I went to the door to see if I had fastened it, and took the

key out and turned down the slide. I stood for a minute or two listening, to hear if the affray had caused any alarm. I then took a seat near the window.

It was a cold, damp day. The window had been closed except six or eight inches at the top, which I let down when I first went to the office. I remained in the same seat for at least half an hour without moving, unless it was to draw close the curtains of the window, which were within reach. My custom had been to leave the curtains about one-third drawn from the side of the window toward Broadway.

The blood was spreading all over the floor. There was a great quantity, and I felt alarmed lest it should leak through into the apothecary store below. I tried to stop it by tying my handkerchief around his neck tight. This appeared to do no good. I then looked about the room for a piece of twine. I found in a box which stood in the room, after partially pulling out some awning which was in it, a piece of cord which I tied tight around his neck, after taking his handkerchief off, and his stock, too, I think.

It was then I discovered so much blood. The fear of its leaking through the floor caused me to take a towel, gather with it all I could, and rinse it in the pail which stood in the room. The pail was about one-third full of water, and the blood filled it at least another third. Previous to doing this, I moved the body toward the box. I pulled out part of the awning

to rest it on, and covered it with the remainder. I never saw his face afterward.

After soaking up all the blood that I could, which I did as still and hastily as possible, I took my seat near the window and began to think what it was best to do. About this time some one again knocked at the door, to which I paid no attention. My horrid situation remained till dark—a silent space of time, with still more horrid reflection.

At dusk of the evening, and when some omnibuses were passing, I carefully opened the door and went out as still as possible, and was, as I thought, unheard. I crossed into the Park and went down to the City Hotel, my purpose being to relate the circumstances to my brother, who was stopping at that house. I saw him in the front reading-room, engaged in conversation with two gentlemen. I spoke to him; a few words passed between us, and, seeing that he was engaged, I returned to the Park. I walked up and down, thinking what was best to do. I thought of many things, among others of going to a magistrate and relating the circumstances to him. Then I thought of the horror, the excitement, the trial, public censure, and false and foul reports that would be raised by the many that would stand ready to make the best appear worse than the worst, for the sake of a paltry pittance gained to them in the publication of perverted truth and original, false, foul, calumniating lies. All this, added to my then feelings, was more than I could bear. Besides, in addition to the blows

given, there would be left the mark or evidence of a rope drawn tightly around the neck, which looked too deliberate for anything like death caused in an affray.

Firing the building seemed at first a happy thought, as all would be enveloped in flames and wafted into air and ashes. Then the danger of causing the death of others, as there was quite a number who slept in the building, and the destruction of property, caused me to abandon the idea. I thought of having a suitable box made, and having it leaded so the blood would not run out, and then moving it off somewhere and burying it. Then the delay of all this, and the great liability of being detected, occurred to me.

After wandering in City Hall Park for an hour or more, I returned to my room and entered it as I had left it. Wheeler's door was open, and he was talking to some one quite audibly. I went into my room, entering undetermined, and not knowing what to do.

After I was seated in my room, I waited silently until Wheeler's school was out and his lights were extinguished. During this suspense, it occurred to me that I might put the body in a cask or box, and ship it somewhere. I little thought at this time that the box which was in the room would answer; I thought it was too small and short, and unsafe, as it was quite open.

Wheeler's school being out, I still heard some one in his room, and whoever it was lay down on the benches. The noise did not ap-

pear exactly like a person going to bed; there was no rustling of bed-clothing. I felt somewhat alarmed. The thought then occurred to me that it might be the person who Wheeler had stated was going to occupy the room, which was to be in about ten days. The party in question was temporarily occupying Wheeler's room.

Relieving myself by this thought, I lit a candle, knowing that something must be done. There was no time to lose. This was about nine o'clock. Having closed the shutters, I went and examined the box to see if I could not crowd the body into it. I soon saw that there was a possibility of doing so, if I could bend the legs up, and keep the canvas around the body so as to absorb the blood and keep it from running. This last I was fearful of.

It occurred to me if I bury or send the body off, the clothes he had on would, from description, establish his identity. It became necessary to strip and dispose of the clothes, which I speedily accomplished by ripping up the coat sleeves, vest, and shirt. While doing so the money and keys which he had in his pocket caused a rattling. I took them out, and laid them to one side. I pulled a part of the awning over the body to hide it, and then cut and tore a piece from the awning and laid it in the bottom of the box.

Next I cut several pieces from the awning for the purpose of lessening its bulk, supposing it was too much to crowd into the box with

the body. I then tied as tight as I could a portion of the awning about the head, having placed beneath it something like flax, which I found in the box with the awning. I drew a piece of rope around the legs at the joint of the knees, and tied them together. I then connected a rope to the one about the shoulders or neck, and bent the knees toward the head of the body as much as I could. This brought it into a compact form.

After several efforts I succeeded in raising the body to a chair, then to the top of the box. Turning it around a little, I let it into the box as easy as I could, back downward, with head raised. The head, knees, and feet were still a little out, but by reaching down to the bottom of the box, and pulling the body a little toward me, I pushed the head and feet in. The knees projected, and I had to stand upon them with all my weight before I could get them down.

The awning was then all crowded into the box, excepting a piece or two which I reserved to wipe the floor. There being a portion of the box next to the feet not quite full, I took his coat and, after pulling up a portion of the awning, crowded it partially under him, and replaced the awning. The cover was at once put on the box, and nailed down with four or five nails. I then wrapped the remainder of his clothing up, and carried it downstairs to the catch basin and threw it into it, together with his keys, wallet, money, and pencil case. These latter things I took down

in my hat and pockets, a part wrapped in paper and a part otherwise.

Having done this, I returned to the room, carried down the pail which contained the blood, the contents of which I threw into the gutter in Chambers Street. I pumped several pails of water from the pump in Chambers Street and threw them in the same direction. The pump is nearly opposite the outer door of the building. I then carried a pail of water upstairs, and after rinsing the pail returned it clean and two-thirds full of water to the room. After which I opened the shutters as usual, drew a chair to the door, leaned it against it on the inside as I closed it, locked the door, and went at once to the Washington Bath-house in Pearl Street near Broadway.

On my way to the bath-house, I went to a hardware store for the purpose of getting some nails to further secure the box. The store was closed. When I got to the bath-house, by the clock there it was eight minutes past ten. I washed my shirt thoroughly in parts of the sleeves and bosom that were somewhat stained with blood from washing the floor. My pantaloons in the knees I also washed a little, and my handkerchief in spots. I then went to my lodgings.

It wanted when I got there about five minutes of eleven o'clock. I lit a light as usual. The housekeeper asked why I came in so late. I made an excuse, saying I was with a friend from Philadelphia, and that I should get up early in the morning to see him off. I went to

the stand and pretended to write till the house became quiet. Then I put out the light and undressed myself, spread my shirt out to dry and went to bed.

In the morning, about half-past five, I got up and put my shirt and handkerchief, which were not yet quite dry, in the bottom of the clothes basket under the bed. I always change my shirt on going to bed. In the morning I put on a clean shirt and handkerchief, and was nearly dressed when the girl came to wake me up. I stated to her that it was doubtful if I would return to breakfast. I did not return, but went to the office and found all as I had left it. I went after some nails, and got them at Wood's store. The store was just opened. I returned to the office and nailed up the box on all sides.

That done, I went down to the East River to ascertain the first packet to New Orleans. I found the *Dalmatia* at the foot of Maiden Lane. I then returned to the room, marked the box, and moved it with great difficulty to the head of the stairs. I did not dare let it down myself, but went to look for a carman. I saw a man passing the door as I was going out, and requested him to help me down with the box. He got it down without any assistance, preferring to do it himself, and I gave him ten or twelve cents. I then went down Chambers street for a carman whom I saw coming toward Broadway, and hired him to take the box to the ship at the foot of Maiden Lane. I went with him.

While he was loading the box I went to my office for a piece of paper to write the receipt on, and wrote the receipt to be signed by the captain. Finally, I did not offer the receipt to be signed, but requested one which the receiver of the box gave me. The clerk was by at the time, and objected to the form of the receipt and took and altered it, wishing to know if I wanted a bill of lading. I at first remarked that, as there was but one box, it was not very important, adding, however, that I would call at the office. I did not go for the bill of lading. I tore up the receipt in Maiden Lane before I was two squares from the ship.

When I returned to my office I did so by way of Lovejoy's Hotel opposite City Hall Park. I went to the eating room, and called for a hot roll and a cup of coffee. I could not eat, but drank two cups of coffee. Being a little refreshed I went to my office, locked the door and sat down for some time. I examined everything about the room, wiped the wall in one or two places, and then went to my lodgings and to bed.

There were one or two cold-blooded paragraphs which the confessing Colt omitted. In packing the body of printer Adams, aside from amputating at the elbow a recalcitrant arm which refused otherwise to fit into the box, he had chinked the body down and freshened it with four or five pailfuls of rock-salt bought by him in Washington market.

Following the arrest, the Colt family moved as one for the rescue of the murderer. It was as

much their pride as their affection which furnished the impulse. It would have been disgraceful had Colt made the little yellow-haired seamstress of Cherry Hill his wife. How much more disgraceful would it be were he finally hanged in the Tombs' yard as a murderer! With such a page in the family annals, what Colt could ever afterward hold up his or her head in high society? The thought was enough to madden, and the Colts began pouring out the family gold like water. An array of counsel was retained, the profound David Graham at its head. All that money linked to brains could do was to be done.

Nor was Colt himself left in cold, unsocial friendlessness in his cell. The lovely Henshaw came to see him every day, and remained for hours. John Howard Payne—he who at the Park had played *Edgar* to George Frederick Cook's *King Lear,* and later written *Home, Sweet Home,* not, as commonly told, while suffering in African exile as United States Consul, but incident to a very wretched opera which he, in collaboration with Washington Irving, had produced in London—was a frequent visitor. So, too, was Lewis Gaylord Clark, editor of the *Knickerbocker.* Also, there came other friendly scores.

Dana, on Greeley's *Tribune* at $14 a week, called upon Colt. It would seem that Dana was in a severe mood; for, as picturing the unholy luxury which surrounded the captive—it was during the progress of Colt's trial—Dana printed his feelings. The style was a bit flamboyant, but the substance no less showed that Colt's imprisonment was not one of cushionless unease.

Said Dana, the anti-luxurious:

> When, from the flame-crowned top of Sinai, the Almighty thundered forth his mandate "Thou shalt not kill" mankind considered the crime a heinous one and punished it accordingly. In those dark days into which the light of the historian's torch penetrates but dimly the shrift of the murderer was dramatically short. It was an eye for an eye, a tooth for a tooth, a life for a life. But *nous avons changé tout cela.* This is the age of civilization, and, as we have made progress in the sciences, arts, and mechanics, so we have also in the treatment of our murderers; at least it is so in New York. Their path may or may not lead to the gallows, but it is certainly strewn with roses.
>
> The popular idea of a murderer in his cell is a grave one. The fancy paints with sombre tints a cold, dark cell. A sickly shaft of light comes from the high, barred window and illuminates feebly the haggard face of the criminal as he sits upon his wretched pallet of straw. Whenever he moves or presses his trembling hands to his hot brow we hear the clanking of chains. The fires of despair burn luridly in his bloodshot eyes. At intervals the iron door creaks harshly open, and the rough keeper hands him his coarse fare. There is no furniture save a crazy chair or two, no carpet, nothing but the damp stone flags. And here he lies until he is led out to be hanged in chains, or executed in whatsoever manner may be in vogue. Victor Hugo paints this picture su-

perbly. The very thoughts of the miserable wretch are reproduced in his glowing language. We shrink with horror from the contemplation of the scene and wonder, since such is his fate, how any man can commit murder.

They may do those things better in France, but how is it in New York? Let us take a stroll through Murderers' Row in the Tombs and glance in on homicide Colt. Coming in from the pure air and warm sunshine you say, as you step upon the corridor, "Surely, this is dismal enough!" And so it is; but this is only the exterior of the parlors. As the keeper swings open the door of Colt's cell the odor of sweet flowers strikes you. It is no delusion, for there they are in a delicate vase upon the center table. That handsomely dressed little lady with the golden hair and the sorrowful face whom we passed on the stairs has just left them. To-morrow they will be replaced by fresh ones.

The table itself is a pretty one; there is nothing handsomer in Washington Square. It is of exquisite workmanship, and is covered with a dainty cloth. In a gilt cage hanging against the wall is a canary, whose dulcet strain gushes out from his palpitating throat in a flood of melody. A pretty set of swinging shelves suspended by silken cords, catches the eye. Here are to be found the latest novel, the freshest magazine. Pictures here and there break up the dull wall into gorgeous color. You tread on roses, for the cold stones are concealed by rare kidderminster.

And Colt; how is it with him? You see he is not sitting on any pallet of straw. In a patent extension chair he lolls smoking an aromatic Havana, while he reads the proceedings of his trial the day previous in the morning's papers. He has on an elegant dressing-gown, faced with cherry colored silk, and his feet are encased in delicately worked slippers. His clothes are neat and up in style to the latest fashion-plate. He is cleanly shaven, and has a general air of elevation about him which is quite refreshing. To one side of him is his bed, a miracle of comfort.

When he is tired of reading or smoking or sleeping he takes a stroll in the yard. It is necessary to dress for this, and his toilet takes considerable time. Finally he appears, booted and gloved. He may have his seal-skin coat on or he may appear in a light Autumn affair of exquisite cut and softest tint. In his hand is a gold-headed switch, which he carelessly twirls during his promenade.

Then comes his lunch; not cooked in the Tombs, but brought in from a hotel. It consists of a variety of dishes—quail on toast, game patés, reed birds, ortolans, fowl, vegetables, coffee, cognac. Then it is back again to his easy chair with book and cigar. Such is life in Murderers' Row as lived by Colt, and a not unmerry life it is.

Colt's trial drew on apace. It was held in the big council chamber of the City Hall, then used for the sittings of the Court of Oyer and Terminer.

The theater of the murder wasn't four hundred feet from the scene of the trial. It appeared as though everybody in town had reached a conclusion concerning the innocence or guilt of Colt, and four days were eaten up in getting together a jury. Then came the evidence—slow, labored, long drawn out. There were no events, no dramatic scenes.

Having already written and signed his "confession," Colt took the stand in his own behalf. He was easy, lucid, and spoke without confusion. And yet he made a bad witness. It was his manner, his atmosphere, rather than what he said that told to his disaster. He related the killing, with every subsequent detail of boxing up the murdered body, and was throughout as coldly unemotional as a snake. It was as though he gave the particulars of some clam-bake at Bath Beach. It wasn't the evidence but Colt himself that proved too much for the sensibilities of the jury, and, after a brief hour's confab, they brought in a verdict of guilty.

The judge asked Colt if he had aught to protest against the sentence of death. Colt callously shook his head; there was nothing he cared to say. There were the usual appeals. The upper court refused to set aside the verdict. It ruled that the only question was one of premeditation. Was it or was it not a sudden killing in hot blood? The question was one of fact. It was for the jury, not the court, and the jury had passed upon it. The court would not interfere, and the hanging of Colt was set for November 18, 1842, fourteen months after the murder.

The yellow-haired Miss Henshaw, loyal, tearful, troubled, beautiful, came to see Colt every day. So,

also, did the Reverend Henry Anthon. Colt did not pretend to any overflow of religious feeling, but he was always glad to see the reverend father. Colt's brother, Samuel, was a frequent visitor. So, too, were Lewis Gaylord Clark, the tuneful Payne, and Robert Emmett.

The gallows was placed in gloomy position in the Tombs yard. The hangman had sent divers insensate bags of sand through the drop, by way of testing the rope and making sure that the death machine was oiled and all its hinges working easily. The execution had been set for the afternoon at four o'clock.

In Colt's cell at eleven o'clock in the morning were gathered a remarkable group. The purpose for which they had come together was no less remarkable. It was to witness the wedding of Colt to the faithful yellow-haired Miss Henshaw. To be hanged in the afternoon, he would be married in the morning. For five hours at least he had resolved to be a husband.

Miss Henshaw's face was aglow with happiness. It was not at all upon this last day the countenance of a girl about to be wedded in the shadow of the gallows, and for whom a hangman's noose must take the place of marriage wreaths. Likewise, her costume, which included an otter muff, a green shawl, a claret-colored cloak trimmed about with scarlet cord, the whole set off by a joyous straw bonnet, could not be regarded as encroaching upon the mournful.

The two took hands, while brother Samuel, Lewis Gaylord Clark, John Howard Payne, Judge Merritt, Robert Emmett, and Sheriff Hart looked on, and

the Reverend Anthon pronounced them "man and wife." On the back of the ceremony all withdrew save Colt and his fresh, young bride—just wedded into his arms. The pair were left to their little honeymoon, which would end when the hangman came for the husband.

It was nearing four o'clock, the hour set for the hanging, and Sheriff Hart asked the Reverend Anthon to tell Colt that his death moment was at hand. As the Reverend Anthon departed down the corridor there arose high and screamingly clear the cry of FIRE! Then came the torrent-like rush of feet, attended by a clangor of bells! Men shouted; engines came charging; the prison was immersed in hubbub, roar, and clamor. The cupola on the Halls of Justice next door, really a part of the Tombs, was blazing fiercely. In the midst of the riot the Reverend Anthon appeared, white of face, aimless fingers working, calling high and low for the Sheriff. Colt was dead in his cell, a dagger through his heart.

In his *Herald* of that day editor Bennett told what had happened and the surmises, not to mention the doubts, which were thereby engendered.

Said editor Bennett:

> In another part of this day's paper will be found the extraordinary suicide and death of John C. Colt before the hour appointed by law for his execution, and the no less extraordinary circumstance of his marriage to Caroline Henshaw, and the firing of the cupola of the prison about the hour at which he committed the fatal act that closed his course on earth. We hardly

know where to begin or how to express the feelings and thoughts which rise up in the mind in contemplating this awful, this unexampled, this stupendous, this most extraordinary and most horrible tragedy.

The death of Adams, and the circumstances attending that fatal deed, can only be paralleled by the trial, sentence, and awful suicide of Colt. The history of the case cannot be equaled in its horror by that of any criminal trial on record. Yet it will not publicly end here. The public will demand a full investigation of the circumstances through which such a catastrophe was permitted. How came Colt to ask for religious consolation from a clergyman and yet to commit suicide? The prayers said over him by the Rev. Mr. Anthon seem to have had little influence upon his mind when we look at the horrible termination of his life. Christianity had not penetrated or pervaded the last moments of his existence in the remotest degree.

Taking all the horrid circumstances of his end into consideration, we have every reason to believe that Governor Seward will order an investigation into the facts, and ascertain that no one is to blame for such a death but the unfortunate being himself. Toward him that was none can have any feeling but that of pity, commiseration, and deep anguish of heart. From the first he seems to have been under the influence of a false system of morals, a perverted sense of human honor, and a sentiment that is at utter variance with the mysteri-

ous revelations of Christianity or the sacred institutions of justice in civilized society. The perverted principles of honor and respectability that spring from modern philosophy and human pride have precipitated him upon the fatal precipice. Those principles, arising from materialism in philosophy and unbelief in all revelation, are too rife in the world and may be looked upon as the principal cause of all the licentiousness, private and public, which seems to overwhelm the whole institutions of civilized society in one mass of uproar, confusion, and despair.

We cannot say more to-day, nor could we say less at this momentous crisis. We have no doubt Governor Seward will order an investigation at once into this most unheard of, most unparalleled tragedy. Who gave Colt the knife? Persons who were alone with him in his cell yesterday were Rev. Mr. Anthon, Samuel Colt, Caroline Henshaw, and Sheriff Hart. In addition to the above David Graham and Robert Emmett visited him together, when no other persons were present. John Howard Payne and Lewis Gaylord Clark also visited him with Samuel Colt. Who gave Colt the knife?

Governor Seward did not "order an investigation." The coroner, however, did impanel a jury, hold an inquest, and charge the county the customary fees. The coroner's inquiry was notable for two features. Not a man on the jury had ever met Colt during his life; none of them so much as

knew him by sight. Also, neither the Reverend Anthon, brother Samuel Colt, David Graham, Judge Merritt, Lewis Gaylord Clark, John Howard Payne, nor Sheriff Hart was called. There lay the body, the dagger driven to the haft in the dead heart! It must have been a sure hand which sent it home! What, with these the conditions, should a well-chosen, docile jury do? What, indeed, but return a verdict of "Death by Suicide."

The bride of five brief hours?

She was gone, utterly gone. She had not even returned to her lodgings in Cherry street.

The papers raised a protest; that was for a day. Some influence seemed to place a repressive yet not unkindly hand upon their inkish lips. In the second editions the protest which in the beginning was full-voiced and vibrant had sunk to a murmur. In the third editions it had altogether ceased. And so the chapter ended.

Ten years; and the time was 1852.

Samuel M. Everett had been an acquaintance, almost a friend, of murderer Colt. The lure of gold had taken Everett to California. It was in the Santa Clara valley. The low sun was going down behind the Coast Range as Everett drew bridle before an opulent ranch house in hope of finding night quarters for himself and horse.

As Everett swung from the stirrup a lean, small, gray-eyed man, skin tanned to the color of a saddle, stepped from the wide verandah, high spurs clanking, a cigarette delicately between his white, even teeth. The tanned, lean, gray personage was appareled in the dress of a California *rico,* with bro-

caded Spanish jacket, silk scarf, silver spurs, trousers slashed to the knee and garnished along the seams with a fringe of little silver bells. On the verandah lay the *rico's* bullion-freighted sombrero. His horse, a well-knit, handsome bay, half hidden beneath a great Chihuahua saddle, stood patiently nearby. Plainly the *rico* had but just returned from a canter about his wide belongings.

As the lean, tanned, gray-eyed one approached, a golden-haired woman, placid, plump, and beautiful, came and stood in the door, while two children peered shyly from behind her skirts, like a brace of doubt-ridden rabbits unable to make up their minds.

Everett stared at the lean, tanned, slight figure as one star-struck.

"Mr. Colt?—Mr. John C. Colt?" he faltered.

"No, señor," returned the other with steady emphasis, while the gray eyes took on an ophidian glitter which was like a menace; "no, señor, I have the honor to be Don Carlos Juan Brewster, and greatly at your service. Were you looking for—whom did you say?—a Mr. Colt?"

"No," said Everett, on instant guard; "I was but thinking you might give me a bed for the night. I am Mr. Everett of New York. If, however, it should be an inconvenience——"

The lean, tanned *rico* interrupted by waving a bestowing hand toward the verandah where the golden-haired woman stood smiling.

"The Señor Everett will be a welcome guest at my house, which is now his house, for a day or a year or what space he wills."

IX.

THE SLAUGHTER IN ASTOR PLACE.

There were no unusual clouds in the sky. General Taylor was doing fairly well in the White House, Hamilton Fish was proving himself reasonably adroit in dodging criticism at the Executive Mansion in Albany, and the city graft under Mayor Woodhull had not risen above what robber heights the ever pillaged town was used to. The public's stomach was being comfortably fed, its pocket book unthreatened of any meat trust. Common, everyday beef sold for five cents, sirloin for ten cents, porterhouse for twelve cents, while lamb was denounced as outrageous at eight cents a pound. Likewise, crabs were two cents a crab, shad eighteen cents a shad, and lobsters went slowly at eight.

Aside from office-holders who behaved themselves and fish and meat within the easy reach of all there were other matters to moderately engage the general tongue. The race between Commodore Vanderbilt's *Vanderbilt* and George Law's *Oregon,* seventy-five miles from the Battery to Croton Point and back, had been run. Also Law's *Oregon* won, with a speed of twenty-three miles an hour, though to do so she fed her hungry furnaces with all of the cabin furniture and most of the cabin fittings.

Nor was the above all. About this time the first

Chinese junk to visit America came nosing into the East River, the New York Hotel was opened by Monnette at Broadway and Waverly Place, Barnum was negotiating with Jenny Lind and Bayard Taylor writing his two-hundred-dollar song wherewith to welcome her, the Fox family had recently introduced Spiritualism with their Rochester Rappings, Chancellor Kent had just died, and the original John Jacob Astor—they had both reached eighty-four years—most reluctantly had followed his example.

Among the theaters affairs were also more or less in motion. Chanfrau at the Olympic, with Miss Taylor as *Lise,* had just given to the world his *Mose the Bowery B'hoy;* likewise negro minstrels had found inventions to become an instant craze. Fannie Kemble Butler was reading *Shakespeare* at the Stuyvesant Institute, Samuel Lover of *Handy Andy* fame at Palmo's Opera House was singing and reciting, and Lester Wallack at the Broadway had managed a modest début as *Sir Charles Coldstream* under the *alias* of "Mr. Lester."

Leaving the theaters, the first California gold had just been brought into Wall Street by General Beale, the Erie railway had pushed its tracks as far as Binghamton, cholera was lifting up its hideous head at the Five Points, the Honeymoon gang was nightly sandbagging and robbing about the four corners at Twenty-ninth Street and Fourth Avenue, Fred Douglas as the "Escaped Slave" had begun to tell his adventures, Dandy Marx was showing Broadway the first waxed mustache it had ever beheld, Brevoort was selling for $57,000 the 92x126 foot lot at Ninth Street and Fifth Avenue,

Brougham was "making up" as Horace Greeley—to the unbridled indignation of that editor—in his rôle of *Fourier Grisley* in "Socialism," while Mrs. Bloomer went about enthusiastically urging her awful pantaloons upon the women of the land. So much by way of a picture, and as arranging a background and setting a stage for the drama upon which the curtain is about to ring up.

The guileless bill-stickers had done their work, picked up their brushes and paste buckets, and gone home. The three-sheets which they left behind them looked innocent enough. These latter simply stated—stuck side by side, they were—that upon Monday, May 7, 1849, Macready at the Astor Place Opera House and Forrest at the Broadway Theater would each present *Macbeth;* and all with never a promise, never a hint, of the real tragedy whereof they were the forerunners.

The Seventh Regiment was fated to do the killing. Its name had been changed from Twenty-seventh to Seventh, and this was to be its baptism of fire. Or paving stones, perhaps, would be the better word. Over two hundred of the Seventh had been struck down before Colonel Duryea, thereunto commanded by Generals Sanford and Hall, who acted at the request of Recorder Talmadge, gave the reluctant order to fire! There were three volleys. No true account of dead and wounded was ever made. Some set the killed as low as seventeen, others as high as one hundred and fifty-four. No one will ever know the dead and wounded truth. The crowd was of the densest, the night was of the darkest. Also, as fast as men fell they were carried away by their friends. The lead, however, must

have flown as thick and low as swallow birds at eventide; for, when the firing had ceased, the pock-marks of bullets on the walls of Mrs. Langdon's house at the corner of Astor and Lafayette Place were sown as closely thick as cloves in a Christmas ham.

Folk who never saw below the surface said that the killings were born of the feud between Forrest and Macready. Those who digged deeper knew that the true source was politics. The Native Americans, inspired by Captain Isaiah Rynders, led by Ned Buntline, and working out from their Empire Club headquarters—it was afterward the Americus Club—at 25 Park Row were the bugs beneath the chip. They but seized upon what jealousies were abroad between Forrest and Macready to focus a feeling which might redound to party advantage at the Autumn elections.

Perhaps Rynders and Buntline did not foresee to what gory lengths their Empire Club plottings would lead men. If such were the purblind case, Buntline at least had time to think it over during the year, which, in deference to the sentence of the recorder, he spent on Blackwell's Island.

And yet there is a word to say for Buntline, too. During that Blackwell's Island year he installed a library for the convicts, besides improving himself morally by forever giving up rum. In his Island exile he discovered that what for years he had taken to be patriotism was but the workings of alcohol upon a temper naturally adventurous and brave. His paper, *Ned Buntline's Own,* failed and fell by the weekly wayside while he lay in Blackwell captivity. After he again came ashore on Man-

hattan, he paid less attention to violent politics, more to Mr. Bonner's *Ledger,* and greatly gave himself over to the literary discovery and development of such stark ones as Texas Jack, Wild Bill and Buffalo Bill Cody.

Macready was never meant by Providence to advance the stage. Gaunt, anxious-eyed, mechanical, angular, awkward, as stiff and stilted as a clothes horse and with a voice like a raven's croak, he owned no spark of genius. Cold, studied, lacking both magnetism and impulse, he was never regarded as an actor while the Keans and Kembles walked the stage. Even George Frederick Cook, handicapped by whiskey, was his master—Cook, greatly carried to his death by the incautiously compounded juleps and smashes of Manhattan, and upon whose grave, while awaiting the snail-like return of your waiter, you may look down in St. Paul's churchyard from the Vesey Street dining-room windows of the old Astor.

No one liked, few respected, Macready. He was mean, offensive, haughty, jealous, narrow. A tyrant to those whom he could with safety oppress, a bootlicking snob to all whom he feared or felt might injure or might aid him, he despised the profession which paid for his bread and butter because he argued that it injured his "social position," whatever that last may have meant. He was the Sir Henry Irving of eighty years ago. As jointed as a marionette, as sapless as a last year's mullein, until all rivalry was dead and down under the doomsday sods, no one in any dramatic connection ever thought of him twice.

But there is such a commodity as affectation, to

say nothing of a perverted taste. Just as some degraded palates relish snails and will not look at a pheasant until it is in the blue stage of decomposition, just as to others the utterly ugly becomes the sublimation of the artistic, so also there are those who, as to what in the way of acting is so wholly bad as to blot the stage, will pretend to uncover a merit. Dead and rotten wood throws off its filmy flare of phosphorescence, and who shall say that dead and rotten acting is without its similar grave-lights? And so a time came for the Talfourds and Bulwers and Forsters and Dickenses of London, with tastes neither unerring nor fine, to declare that Macready was a "great tragedian."

It's to be doubted if these "critics" actually believed this themselves. Their assertion may have been no more than a pose. The honest public never accepted Macready. The Forster-Dickens-Bulwer-Talfourd combination, kiln-dried in the heat of their own conceits, felt that to disagree with the public was a shortest possible cut to proving their own starlike superiority. Chesterfield had said "The public is seldom right, and then only for a wrong reason," and for our kiln-dried, conceited ones to oppose their own judgments to the public's was in their minds to demonstrate their own taste-elevation. Wherefore, the Talfourds and Bulwers and Dickenses and Forsters began beating a Macready gong, and kept up the brassy din until in what London corners wealth and ignorance and vulgarity most did congregate they made Macready the fashion. To swear by him and see him were the correct things to do, while a doubt cast upon him as one flame-fed at once identified the doubter with

the herd. Even as one, Senator Scott, speaking after the unbuckled manner of old gentlemen who have dined, referred to "This man Roosevelt, whom everybody is for and nobody wants," so too might what theater-going Scotts adorned the earlier half of the eighteen-hundreds, in those frank moods which mark a third bottle of claret, have spoken of "This man Macready, whom everybody goes to see and nobody likes."

Forrest was in everything what Macready was not. Ardent, spontaneous, quick, generous, his atmosphere attracted where Macready's repelled. He was grace and the personification of power. Where Macready might have been likened to some dead and snow-capped mountain, cold, dreary, gray, Forrest was a volcano.

Macready as early as 1823, when he was thirty-three years old and Forrest twenty, felt the latter's genius and feared it, knowing he had none of his own. One finds Macready complaining of Forrest, distrusting Forrest, finding fault with Forrest, and all inadvertently complimenting Forrest as early as 1826. Macready had the English instinct for keeping a diary, an instinct which has planted the seeds of trouble in its time and made work for headsman's axe and hangman's rope, and this, upon his initial visit to this country and while carefully not mentioning any other American actor, is what concerning Forrest his alarmed pen wrote down:—

> There is a new theater in the Bowery, a low quarter of the city. * * * Forrest was the *Mark Antony*. He was a very young

man, not more I believe than one or two and twenty. The "Bowery lads" as they were termed made great account of him, and he certainly was possessed of remarkable qualifications. His figure was good, though perhaps a little too heavy; his face might be considered handsome, his voice excellent. He was gifted with extraordinary strength of limb, to which he omitted no opportunity of giving prominence. He had received only the commonest education, but in his reading of the text he showed the discernment and good sense of an intellect much upon a level with that of Conway. But he had more energy, and was altogether distinguished by powers that under direction might be productive of great effect. I saw him in "William Tell." His performance was marked by vehemence and a rude force that told upon his hearers. But of pathos in the affecting interview with his son there was not the slightest touch, and it was evident he had not rightly understood some passages in his text. * * * His robustious style gains applause in the coarse melodramas of *Spartacus* and *Metamora,* but the traits of character in Shakespeare and the poetry of the legitimate drama are beyond his grasp.

Macready at $250 a night made money in this country, which was as frettingly full of Anglomaniacs—and upon a somewhat similar argument—as a ripe cheese is of skippers. The Hones, the Wainwrights, the Snedecors, the Goldens and what others

were on their snobbish knees to England believed, as do their descendants of sallow chest and sallow heart and sallow head even unto this day, that when they died they would go not to heaven, but London. These folk of a delicate Americanism flocked to see Macready. Had not the Talfourds, the Forsters, the Bulwers and the Dickenses said it was the proper thing to do? One could not be of New York's first circles, and deny the dicta of such British eminents! And so Macready was feasted and feted and flattered and worshipped by the same snobs that feasted, feted, flattered and worshipped Trollope, Martineau, Marryat and Dickens in their gold-seeking invasions of this country, and upon whom those feasted, feted, flattered, worshipped ones wiped first their feet, and later wiped their pens.

It occurred to Forrest in the middle '30s to go to England. Also, a London dinner, after the British manner, was given unto him. Macready had been asked, but didn't attend at the start. Dinner half over, he made a belated appearance, not having the courage to altogether stay away.

Macready in his diary tried to cheat himself into an impression favorable to his own generous politeness.

Said he:

> Nov. 19th, 1836.—Dow drove me to the Garrick club, while Browning wrote out the omitted parts. I found remaining of the party of eighteen who sat down to the dinner given to Mr. Forrest, Talfourd (in the chair), Mr. Blood, opposite, S. Price, C. Kemble, W. Jones,

> Zachary (?) Dance, Murphy, Raymond and three others, unknown. I greeted Forrest, and told him I was anxious to be among his hosts. Talfourd mentioned that my health had been drunk very cordially, but repeated it in my presence. I was drunk to, and briefly stated that "The attention was unexpected; that I came to pay, not to receive, a compliment; and could assure my highly talented friend that no one extended the hands of welcome to him more fervently or sincerely than myself. * * * C. Kemble wished that we should take wine together, which we did.

Evidently, C. Kemble—retired—felt a bit uneasy, and was trying to smooth down a situation of which the fur somehow and by someone had been rubbed the wrong way.

Forrest was in England and Europe for months. He did not appear upon the stage; that hadn't been his plan when he took ship for Liverpool. His purpose was to study his trade of actor from the best examples in England and France, and incidentally take a vacation. That he didn't go upon the stage and had no purpose so to do, gave Macready what soul-calmness was required to attend the Garrick Club dinner after it was over.

Forrest returned to America briefly, played briefly, and then went back to London. Upon this second visit he filled engagements in London and what the cockneys called the "provinces," that is such towns as Manchester, Leeds, Liverpool and Edinburgh, and took England and Scotland everywhere by storm. Also, his victory was like

a dagger of ice through the jealous Macready heart.

Following his first return from abroad, this is what our fine old prig and journal-writer, Hone, had to say of Forrest. Later by a handful of years, and when politics had entered as a color-bearing quantity into the equation, prig Hone would entertain a widely different feeling.

Hone writes:

> September 19, 1837.—Forrest made his first appearance since his return at the Park Theater last evening, in the part of *Othello*. I was there a short time. The house was crammed in every part, and his reception warm and enthusiastic. I think him improving; his acting is more quiet, and in person, deportment and voice the Senate in its most palmy state never had so magnificent a commander, black or white, nor had ever *Desdemona* so good an excuse for her misplaced affection.

Macready, in his dollar-questing, was again in America. Forrest upon some coals-of-fire principle or perhaps forgetful of that Garrick Club affair gave Macready a dinner, of which attention the latter took patronizing not to say weary notice in his invaluable diary:

> Oct. 3rd, 1843.—Dined with Forrest; met a very large party, too large for comfort, but it was most kindly intended:—Bryant, with whom I talked very little, Halleck and Inman, the artist, were of the party. Our day was

> very cheerful; I like all I see of Forrest very much. He appears a clearheaded, honest, kind man. What can be better?

Certainly, nothing "can be better." But there was another, an "actor" side to Forrest, which Macready restrains himself from mentioning, but was none the less keeping him awake nights.

Now enter the demon of politics to trouble the waters, already too much troubled, and turn their color to a final hue of blood. The Native American party, sometime called the Know Nothing party, was born and began gathering unto itself strength. Forrest was its representative on the stage, just as was Hoffman at the bar, Grinnell along the waterfront, Blatchford in society, Hyer in the prize ring, Poole among the butchers, and Buntline in the kingdom of breezy literature. Everywhere, with the cry "America for Americans!" the new party found its champions.

Rynders, taking along his redoubtable Empire Club in a body, was with it. Rynders, earnest, honest, deeply religious and a Christian of muscular sort, was a tower of political strength. It had been his boast in the Polk campaign that "the Empire Club carried the Empire City, the Empire City carried the Empire State, and the Empire State carried the Empire of the United States for Polk," and no one, certainly not Polk in his White House, ever dreamed of contradicting the excellent Rynders, who—after the late John G. Thompson's Buckeye manner—was in the habit of "claiming everything with confidence."

On the triumphal heels of Forrest's second re-

turn from England it occurred to the worthy Rynders, acting as a Native American, to name Forrest for Congress. Forrest declined the honor; but he was a candidate long enough to shock and excite diarist Hone, himself a Clay-Webster whig of ebon hue, into the following:

> October 15, 1843.—The Van Buren men have agreed upon a ticket for Congress. Locofoco (Native American) to the hub; Cambreling, Eli Moore, John McKeon and Edwin Forrest. The latter is the celebrated tragedian, with no claim that I have ever heard of to the honour of representing the people of New York in Congress but that of exciting, by dint of loud words and furious stamps, the pit of the Bowery Theater to raise their shirt-sleeves high in air and shout "Hurrah for Forrest!" He may be a leader of the *Pitt* party, but no statesman. True it is that these men may "steal a horse, when we cannot look over the hedge." I remember well how I was berated by some of my political friends when as Mayor I assisted in the ceremony of laying the corner-stone of the Bowery Theater, and made a speech on the occasion. No act of my public life lost me so many friends; and here we have a regular-built actor presented to the people for their suffrages, and he will probably (if he should consent to serve) receive the greatest number of votes on their ticket. The *Pittites* will, of course, shout most obstreperously for him, but also the better sort of men, the gentlemen (the few that

> belong to the party), the moral men, as well as the Five-Point politicians and disciples of Fanny Wright, will vote for Forrest and Eli Moore without the slightest compunction.

Observe how heedfully Anglomaniac Hone spells honour with a "u," after the English orthography. Blurred, too, by his political fears, he forgets those kindlier judgments of Forrest's *Othello* at the Park.

Macready was in New York when Rynders named Forrest for Congress. It may have been that he regretted Forrest's refusal to run, and so transfer himself to another and—for Macready—a less annoying stage. It is to be fancied that Macready in that congressional nomination was granted some disturbing glint of his rival's popularity. In his own narrower England he would have given fingers and toes for a nomination to the House of Commons.

While Macready refrained from journalizing concerning Forrest in politics, his theatrical fears of that personage peep out in this entry:

> December 11th, 1843.—A long letter from Mr. Marshall, the Philadelphia manager, proposing to me, and evidently thinking he had hit upon a most brilliant device, to act at Philadelphia "on alternate nights the same plays with Mr. Forrest." Monday, *Hamlet,* Mr. Macready; Tuesday, *Hamlet,* Mr. Forrest; Wednesday, *Othello,* Mr. Macready; Thursday, *Othello,* Mr. Forrest. I answered him, of course declining.

Wise actor Macready! In any conflict of comparison, such as that which the enterprising Marshall was trying to arrange, he would have been torn to rags in a moment.

And yet Macready, for all his careful strategy, was not to escape the Forrest rivalry. In Baltimore, in Philadelphia, in New York, in Boston, the managers smelling a profit, matched Forrest against Macready, one against the other. While Macready was playing *Macbeth* in one theater of the town, Forrest was playing *Macbeth* at another; while Macready as *Lear* was suffering from the hardness of his daughters at one theater, Forrest as *Lear* was experiencing a similar filial ingratitude at another. And so the good work went on. But with this bitter difference: Forrest drew the greater money by two and three-fold.

Macready went home, and related his "wrongs" to the Dickens-Forster-Bulwer-Talfourd clique. He had been most outrageously treated! A common American actor had dared to be his superior! The Dickens - Forster - Bulwer - Talfourd coterie were most properly shocked, and when Forrest followed Macready to London they evinced their feeling by having him hissed in the London theaters. The mean influence of this little circle didn't reach beyond London, however, and while Forrest was insulted in the big town, the "provinces" more than ever took him up.

The malignant influence of Macready dogged Forrest to France, and closed the gates against a Parisian engagement. Macready in Paris had been what in the slang of the theaters is termed a "frost," and his narrow heart was afire with the

fear that Forrest would succeed where he himself had failed.

Forrest was one whose temper was high, whose methods were direct. Macready, seeking the injury of Forrest, had concealed himself behind a clique. By way of bringing him into the open, Forrest journeyed to Edinburgh of coldest plan, planted himself in a box, and unmistakably and offensively hissed Macready's *Hamlet.* Of which "outrage" victim Macready confides to his diary the following horrified account:

> March 2, 1846.—At the waving of the handkerchief before the "play" and "I must be idle," a man on the right side of the stage—upper boxes or gallery, but said to be upper boxes—hissed! The audience took it up, and I waved the more and bowed derisively and contemptuously to the individual. * * * Ryder is possessed with the belief that Mr. Forrest was the man who hissed. I begin to think he was the man.

The intelligent Ryder was right, as a month later appeared by the following Macready entry:

> April 4th.—Forster showed me the *Times,* in which is a letter of Mr. Edwin Forrest admitting that he hissed me on my introduction of a "fancy dance" into Hamlet; that he had a right to do so; that he was not solitary in the act.

The Astor Place killings occurred in May, 1849. Better than can be written now, the story of what

led up to them was told at the time by Macready, the newspapers and diarist Hone. Macready landed in Boston, and headed for New York and Philadelphia. Instantly, the Native American feeling began to make itself felt. The Native Americans had heard all about Forrest in London, and upon a principle recognized by the proverb-makers in an aphorism which speaks of the goose and the gander, and what sauce should do for both, opened their war of retaliation.

Nowhere was the Native American case more clearly stated than in the *Boston Mail,* which printed what follows upon the morning of Macready's first appearance:

> Mr. Macready has at length arrived. * * * He plays this evening at the Howard Athenæum, and refuses to show himself for less than one dollar a ticket. * * * The reader will ask what fault we find with Mr. Macready. Has he not the right as other men have to do as he pleases? We answer yes. He has a right to come to this country in the exercise of his profession. He has a right to demand a dollar from every person who witnesses his acting. And if managers of theaters are willing to accede to his arbitrary proposals, he certainly has a right to make them.
>
> Our charges against Macready are based upon more important grounds. It is his conduct in his own country in relation to Mr. Forrest, his inhospitality, his crushing influence, his vindictive opposition and his stead-

fast determination to ruin the prospects of that gentleman in England. * * * Mr. Forrest is called the *American Tragedian.* He is justly entitled to that honor. He has acquired it by his own labors. From a poor boy in a circus he has risen to be a man of fame and wealth. Every American-born man is willing that Mr. Forrest should wear this title, and when he visited England they were anxiously interested in his success.

Macready had previously been in this country, and played engagements in every city and made a fortune. He was extolled by the press, and treated as a gentleman by the citizens of every place he visited. But instead of returning this kindness he acted openly toward Mr. Forrest as his determined foe. In Paris Mr. Macready and Mr. Forrest met. The latter was anxious to appear on the French boards, but Macready threw obstacles in the way. This was the first time that the two players were enemies.

Mr. Mitchell, the enterprising lessee of St. James' Theater in London, took an English company of actors to the French capital with Mr. Macready at the head of the list. Macready was to be the hero—the great attraction of Paris. He failed, however, to draw money to the treasury, and Mr. Mitchell lost a large sum by the speculation, or rather would have lost it if Louis Philippe had not made him most liberal presents.

Mr. Forrest had letters of introduction to Mr. Mitchell from friends in London, but

Macready was jealous lest Forrest should prove to be the great star, and he cautioned Mitchell not to allow Forrest to appear. The result was that Mr. Mitchell refused to see Mr. Forrest. The parties returned to London. The hypocrisy of Macready is apparent in his note of invitation to Mr. Forrest to dine with him. The latter, knowing the intrigue that had been carried on in Paris between Macready and Mitchell, refused.

The next mean act toward Forrest, brought about through the influence of Macready, was when Mr. F. appeared at the Princess Theater in London. Macready had been endeavoring for a long time to effect an engagement with some London manager, but was unsuccessful. The success of Forrest stung him and he resolved to put him down. He or his friends actually hired men to visit the theater and hiss Forrest off the stage, and Forrest was received with a shower of hisses before he was heard. This mean conduct was followed up by the London press, by which Forrest was most outrageously assailed, and not Forrest alone but his country.

Forrest and Macready next met in Edinburgh. Macready was playing at the Theater Royal in *Hamlet;* Forrest was present. * * * Now comes Forrest's great sin, the sin of hissing Macready for throwing up his handkerchief and dancing across the stage in the *pas de mouchoir.* Mr. F. not only hissed, but the whole house hissed, and yet Macready dared to write to London that Forrest had singly and

alone attempted to hiss him from the stage. To show that Mr. Forrest was not alone in this matter, we are able to state that two weeks afterward *Hamlet* was repeated, when the whole house again hissed Macready's dance across the stage.

Forrest wished to appear in London in Bulwer's *Lady of Lyons* and *Richelieu.* Forrest addressed a note to Bulwer, asking him terms for the plays. After a long delay Bulwer replied that he should charge Forrest two pounds per night for the use of them, and he must play forty nights! Such terms were prohibitive for plays that had in a great measure lost their interest, and compelled Forrest to reject them. It was ascertained that Macready had prevailed on Bulwer to ask such terms as should not allow Forrest the use of his compositions. Forrest drew crowded houses during his engagement at the Princess Theater. Macready had very slim audiences.

We have given a plain statement of facts. Actors like Macready find it hard scratching in their own country, and much better pickings here. It is to be hoped, however, that Americans will finally become awakened to the mercenary motives of such artists, and when we have any surplus of dollars to spend that we will be generous and just to our own.

Macready, setting out on his dollar-hunting march through the country, found Boston cold, New York obstreperous, and Philadelphia—that

city of brotherly love—on the actual warpath. The weird doings in Philadelphia fairly drove him into his journal, something which Boston and New York had not as yet been able to do.

Macready writes:

> Philadelphia, November 20th, 1848.—Acted *Macbeth.* Before the play Ryder came to inform me there would be a disturbance. * * * Went on; and applause, with the hissing and coarse noises of the ruffians there, attended my entry. * * * In the fifth act, as if the scoundrels were aware that it was a strong point for me, they began with more than their primary violence of noise and outrage, and a rotten egg was thrown on the stage. * * * Obtaining at last silence, I observed that at New York and at Boston I had been warned of an organized opposition to be in force against me. * * * There had been an impression widely and most industriously disseminated that I had shown hostility in my own country to an American actor. I declared upon my "sacred honor" that not only were the assertions so made false in the aggregate, but that in all the circumstances carefully compiled, there was not for a single one the smallest shadow of foundation. That I had been hissed in a public theater by an American actor, an act which I believed no other American would have committed, and which I was certain no European actor would have been guilty of. That up to that period I had shown none but kindly feelings toward that person,

and had never since then publicly expressed an unkind one.

It would appear that while the "person" to whom the journalizing Macready alluded didn't jot down his feelings in a diary, he did and at some length print them in the papers; for Macready takes this notice of them the very next day:

> Philadelphia.—A card or letter signed "Edwin Forrest" appeared in print, dated Philadelphia, November 21st, 1848, which contained the following passages: "Mr. Macready, in his speech last night to the audience at the Arch Street Theater, made allusion, I understand, to an 'American actor' who had the temerity on one occasion 'openly to hiss him.' This is true, and by the way the only truth which I have been able to gather from the whole scope of his address. But why say an 'American actor?' Why not openly charge me with the act? For I did it, and publicly avowed it in the *Times* newspaper of London, and at the same time asserted my right to do so." The rest of the letter accused Macready of suborning the English press against him, instigated by feelings of envy and jealousy of his rivalry as an actor, and that he had in consequence been himself hissed upon the stage in London before the occurrence of his own hissing of Macready in *Hamlet* at Edinburgh. He went on to deny having assisted in getting up "an organized opposition" to Macready in America, and to state that on the contrary his advice

had been to do nothing and "let the superannuated driveler alone."

Macready, after his Philadelphia experience, journeyed on to Baltimore. There he becomes despondent — and contemptuous — journalistically, after this wise:

> December 12th, 1848.—Looked at the Baltimore papers. * * * People here—my friends, talk of the victory I have obtained, the triumph I have won! Victory! Over what or whom? A large portion of the American public, the more intelligent and gentlemanlike, have been shocked and ashamed at Mr. Forrest's "card" written in the worst taste, and convicting himself of falsehood in one or two particulars—and they believe that I am true or for the most part so. A large portion—the democratic party—crowd to see him at the theater, cheer him in the most tumultuous and pointed manner, calling forth his thanks for their "support," and the papers speak of him in the same admiration and respect that they would of a real artist and a real gentleman!

Macready played throughout the country, finding zero weather everywhere, and in May bent his steps toward New York. In anticipation of his coming, Rynders and Buntline had been most heroically busy. When the Macready three-sheets went up announcing *Macbeth* for the opening night, our heroes of the Empire Club had caused to be

struck off, by Printer Rayburn of 38 Ann, this stirring fulmination:

> WORKINGMEN!
>
> Shall AMERICANS or ENGLISH rule in this city? The crews of the British steamers have threatened all Americans who shall dare to express their opinions to-night at the English Aristocratic Opera House! We advocate no violence, but a free expression of opinion to all public men. Workingmen! Freemen! Stand by your lawful rights.
>
> American Committee.

Woodhull was Mayor, Matzell chief of police. These gentlemen had no notion that a bloody riot was impending. No more had Macready or Managers Niblo and Hackett. Even when an ugly crowd began early to gather about the doors of the theater, they read in the fact no signs of coming storm.

Prig Hone, dinner-giver, diarist and gentleman about town, but first and above all a worshiper of things English, furnished for the opening night this report of what took place. Says the scandalized Hone, journal-keeper and vestryman to Trinity Church:

> May 8, 1849.—Mr. Macready commenced an engagement last evening at the Opera-House, Astor Place, and was to have performed the part of *Macbeth,* whilst his rival, Mr. Forrest, appeared in the same part at the

Broadway theater. A violent animosity has existed on the part of the latter theatrical hero against his rival, growing out of some differences in England; but with no cause that I can discover except that one is a gentleman and the other a vulgar, arrogant loafer with a pack of kindred rowdies at his heels. Of these retainers a regularly organized force was employed to raise a riot at the Opera-House and drive Mr. Macready off the stage, in which to the disgrace of the city the ruffians succeeded. On the appearance of the "Thane of Cawdor," he was saluted with a shower of missiles, rotten eggs and other unsavory objects, with shouts and yells of the most abusive epithets. In the midst of this disgraceful riot the performance was suspended; the respectable part of the audience dispersed, and the vile band of Forresters were left in possession of the house. This cannot end here; the respectable part of our citizens will never consent to be put down by a mob raised to serve the purpose of such a fellow as Forrest. Recriminations will be resorted to, and a series of riots will have possession of the theaters of the opposing parties.

That was what diarist Hone heard, thought, saw and said on the outside. Come now to Macready, who journalized as to what he heard, thought, saw and said on the inside:

New York, May 7th, 1849.—Rehearsed with much care. * * * Went to theater;

dressed. My hair-dresser told me there would be a good house, for there was—an unusual sight—a great crowd outside. My call came; I had heard immense applause and three cheers for Mr. Clarke and *Macduff*. I smiled and said to myself, "They mistake him for me." I went on; there came the greatest applause as it seemed from the whole house. I bowed respectfully, repeatedly. * * * It did not cease, and I began to distinguish howlings from the right corner of the parquette. Still, I thought it is only like the Western shriek, a climax of their applause. At length I became sensible there was opposition. * * * I at last walked forward to address them. * * * They would not let me speak. They hung out placards: "You have been proved a liar," and flung a rotten egg close to me. I pointed it to the audience and smiled with contempt. * * * At last there was nothing else for it, and I said "Go on," and the play, *Macbeth,* proceeded in dumb show, I hurrying the players on. Copper cents were thrown; some struck me; four or five eggs, a great many apples, nearly—if not quite—a peck of potatoes, lemons, pieces of wood, a bottle of asafoetida which splashed my own dress, smelling, of course, most horribly. * * * I looked directly at these men as they committed their outrages, no way moved by them.

Behind the scenes some attempted to exhibit sympathy, which I received very loftily, observing "My concern was for the disgrace such people inflicted on the character of the

country." The second act closed exactly in the same way. I dressed for the third and went on; the tumult the same, the missiles growing thicker. At last a chair was thrown from the gallery on the stage, something heavy was thrown into the orchestra (a chair) which made the remaining musicians move out. Another chair was hurled by the same man, whom I saw deliberately throwing it; then wrench up another and throw it too. I bowed to the audience, and going up to Mr. Chippendale observed that I thought "I had quite fulfilled my obligations to Messrs. Niblo and Hackett, and that I should now remain no longer." I accordingly went down and undressed.

Colden was there and seemed to apprehend danger out of doors; I did not. However, I took my dirk, but thinking it unworthy to carry it, threw it down again. Colden (who made too much of it), Tallmadge, and Emmett walked home with me; there was no sign of any attempt in the back street, but there was a crowd at the front door which Colden had not been able to penetrate, and which the Chief of the Police informed me afterward made the strongest efforts to break into the house. Colden was with me, and Ruggles too came and joined us. I was in the best spirits, and we talked over what was to be done.

Several things proposed, rejected, and certain things decided on, but so hastily that when they were gone I perceived the course was

yet to be fixed on. A Mr. Rennett—stranger —came from young Astor and other names of the first rank to say that this should be resisted, and to convey to me the expression of their regret. Gould came when they were gone in great distress, having heard all from Duyckinck.

In his rooms in the New York Hotel, Macready the next day, considering his position, wrote this:

8th.—Rose in good time but with headache. Look at papers. The *Herald* gave a semi-facetious, insidious and as regards myself incorrect account of the brutality of last night. * * * Gould called, Duyckinck, Hacketts, father and son, Crowder, Colden, ex-mayor Hone, Ruggles. They talked much on what was to be done. I resolved not to act to-night, and am disinclined to appear again, but they are gone to collect names in requisition to me to continue my engagement.

Abundant in every community is a host of "highly respectable" people, the Hones, the Coldens and the Crowders, who are always for "upholding the law," but also always by proxy. They start more fights and do less of the fighting than any other class of citizens. It is their caste mark. And so these excellent ones, the Hones, the Duyckincks, the Goulds, the Emmetts, the Wainwrights, the Coldens, the Monnetts, the Prescott-Halls, the Crowders, the Pattersons, the Griffins, the Langdons, the Brevoorts and the Astors, signed a re-

quest or rather a demand that Macready appear again at the Opera House.

"They would protect him!"

Macready accepted their "protection," obeyed their call. And this, the next day, is what that respectable of the respectables, prig Hone, had to say of the business:

> May 10.—The riot at the Opera-House on Monday night was children's play compared with the disgraceful scenes which were enacted in our part of this devoted city this evening, and the melancholy loss of life to which the outrageous proceedings of the mob naturally led. An appeal to Mr. Macready had been made by many highly respectable citizens and published in the papers, inviting him to finish his engagements at the Opera-House, with an implied pledge that they would stand by him against the ferocious mob of Mr. Forrest's friends, who had determined that Macready should not be allowed to play, whilst at the same time their oracle was strutting, unmolested, his "hour upon the stage" of the Broadway theater. This announcement served as a firebrand in the mass of combustibles left smouldering from the riot of the former occasion. The Forresters perceived that their previous triumph was incomplete, and a new conspiracy was formed to accomplish effectually their nefarious designs. Inflammatory notices were posted in the upper ward, meetings were regularly organized, and bands of ruffians, gratuitously supplied with tickets by

richer rascals, were sent to take possession of the theater. The police, however, were beforehand with them, and a large body of their force was posted in different parts of the house. When Mr. Macready appeared he was assailed in the same manner as on the former occasion; but he continued on the stage, and performed his part with firmness amidst the yells and hisses of the mob. The strength of the police and their good conduct, as well as that of the Mayor, Recorder and other public functionaries, succeeded in preventing any serious injury to the property within doors, and many arrests were made; but the war raged with frightful violence in the adjacent streets. The mob—a dreadful one in numbers and ferocity—assailed the extension of the building, broke in the windows and demolished some of the doors. I walked up to the corner of Astor Place, but was glad to make my escape. On my way down, opposite the New York Hotel, I met a detachment of troops, consisting of about sixty cavalry and three hundred infantry, fine-looking fellows, well armed, who marched steadily to the field of action. Another detachment went by the way of Lafayette Place. On their arrival they were assailed by the mob, pelted with stones and brickbats, and several were carried off severely wounded. Under this provocation, with the sanction of the civil authorities, orders were given to fire. Three or four volleys were discharged; about twenty persons were killed and a large number wounded. It is to be lamented that in

the number were several innocent persons, as is always the case in such affairs. A large proportion of the mob being lookers-on, who putting no faith in the declaration of the magistrates that the fatal order was about to be given, refused to retire, and shared the fate of the rioters. What is to be the issue of this unhappy affair cannot be surmised; the end is not yet.

Prig Hone would have made a transcendent war correspondent! Note, too, the splendid caution of our diarist. Having signed the call urging Macready to continue his engagement, having in all fashions laid the groundwork of the riot, he himself is prudently not present. Why should he be there? He had seen *Macbeth* before. Wherefore, from his house at Broadway and Great Jones Street, not a stone's throw from the storm, he ingenuously tells us how when the riot was at its hottest he "walked up to the corner of Astor Place, but was glad to make my escape."

All of those call-signers to be sure were not of the Hone feather. Which was quite as well, perhaps, for Macready. Emmett stood by his guns. Nor was it any light matter, as all who ever faced a mob will tell you, for Emmett to bear Macready company as he left the theater, and guard and guide him to a place of safety. It shows that whatever may have been the case with others, the Emmett heart was plumb. It is in the following account of that night's trials and tribulations, set down in his journal by Macready, you may read of the part

played by Emmett. Also, don't think too loftily of Macready for being frightened.

Says Macready:

> New York, May 10th.—Read the papers. * * * The Recorder called, Mr. Tallmadge, and assured me that every measure should be taken to insure the tranquillity of the house to-night. * * * Spoke with Messrs. Sefton and Chippendale, expressing my opinion that there would not be the slightest demonstration of opposition. They thought there might be a hiss or perhaps two at the beginning, but that it could be instantly silenced. * * * I went gaily, I may say, to the theater, and on my way, looking down Astor Place, saw one of the Harlem cars on the railroad stop and discharge a full load of policemen; there seemed to be others at the door of the theater. I observed to myself, "This is good precaution." I went to my dressing-room, and proceeded with the evening's business. I was ruffled and nervous from fear of being late, but soon composed myself. * * * The play began. There was some applause to Mr. Clarke. I was called, and at my cue went on with full assurance, confidence and cheerfulness.
>
> My reception was very enthusiastic, but I soon discovered that there was opposition, though less numerously manned than on Monday. I went right on when I found that it would not instantly be quelled, looking at the wretched creatures in the parquette, who shook their fists violently at me and called out to

me in savage fury. I laughed at them, pointing them out with my truncheon to the police, who I feared were about to repeat the inertness of the previous evening. * * * My first, second and third scenes passed over rapidly and unheard. At the end of the fourth one of the officers gave a signal; the police rushed in at the two sides of the parquette, closed in upon the scoundrels occupying the center seats furiously vociferating and gesticulating, and seemed to lift them or bundle them in a body out of the center of the house amid the cheers of the audience. I was in the act of making my *exit* with "Lady Macbeth," and stopped to witness this clever maneuver which, like a *coup de main,* swept the place clear at once.

As well as I can remember, the bombardment outside now began. Stones were hurled against the windows in Eighth Street, smashing many. The work of destruction became then more systematic; the volleys of stones flew without intermission, battering and smashing all before them. The Gallery and Upper Gallery still kept up the din within, aided by the crashing of glass and boarding without. The second act passed, the noise and violence without increasing, the contest within becoming feebler. * * * The banquet scene was partially heard and applauded. I went down to change my dress, the battering at the building's doors and windows growing, like the fiends at the Old Woman of Berkly's burial, louder and louder. Water was run-

ning down fast from the ceiling to the floor of my room and making a pool there. I inquired; the stones hurled in had broken some of the pipes.

The fourth act passed; louder and more fierce waxed the furious noises against the building, and from without; for whenever a missile did effectual mischief in its discharge, it was hailed with shouts outside. Stones came in through the windows and one struck the chandelier; the audience removed for protection behind the walls. The house was considerably thinned, gaps of unoccupied seats appearing in the audience part. The fifth act was heard, and in the very spirit of resistance I flung my whole soul into every word I uttered. * * * The death of *Macbeth* was loudly cheered. * * * Going to my room I began without loss of time to undress, but with no feeling of fear or apprehension.

When washed and half dressed, persons came into my room, consternation on the faces of some, fear, anxiety and distress on those of others. The mob were getting stronger! Why were not the military sent for?

"They were here!"

"Where?"

"Why did they not act?"

"They were not here; they were drawn up in the Bowery!"

"Of what use were they there?"

"The military had come upon the ground!"

"Why did they not disperse the mob then?"

These questions and answers with many

others were passed to and fro among the persons round me whilst I was finishing my hasty toilet, I occasionally putting in a question or remark. Suddenly we heard a volley of musketry.

"Hark! What's that?" I asked.

"The soldiers have fired!"

"My God!" I exclaimed.

Another volley; and another! The question among those surrounding me, Ruggles, Colden, Emmett, a friend of his in some official station, Fry, Sefton, Chippendale, and I think the performer who played *Malcolm,* was which way was I to go out? News came that several were killed; I was really insensible to the degree of danger in which I stood, and saw at once—there being no avoidance—there was nothing for it but to meet the worst with dignity, and so I stood prepared. They sent some one to reconnoiter, and urged the necessity of a change in my appearance. I was confident that people did not know my person, and repeated this belief. They overbore all objections, and took the drab surtout of the performer of *Malcolm,* he taking my black one. They insisted, too, that I must not wear my hat. I said,

"Very well; lend me a cap."

Sefton gave me his, which was cut all up the back to go upon my head. Thus equipped I went out, following Robert Emmett to the stage door; here we were stopped, not being allowed to pass. The "friend" was to follow us as a sort of *aide,* but we soon lost him.

We crossed the stage, descended into the orchestra, got over into the parquette, and passing into the center passage went along with the thin stream of the audience moving out. We went right on down the flight of stairs and out of the door into Eighth Street. All was clear in front—kept so by two cordons or lines of police at either end of the building stretched right across. We passed the line near Broadway, and went on threading the excited crowd, I twice or three times muttering in Emmett's ear,

"You are walking too fast!"

We crossed Broadway, still through a scattered crowd, and walked on along Clinton Place till we passed the street leading down to the New York Hotel. I then said,

"Are you going to your own house?"

"Yes."

We reached it, and having opened the door with a latch-key, closing it after us, he said,

"You are safe here; no one will know anything about you; you shall have a bed in ten minutes or a quarter of an hour, and you may depend upon all in this house."

We sat down in the drawing room, talking of the facts before us, I wondering at myself and my condition, and secretly preparing myself for the worst result, namely, falling into the hands of these sanguinary ruffians. A son of Emmett's was there, Robert. In about a quarter of an hour Colden came in. Several men had been killed, how many not certainly known yet.

"You must leave the city at once; you must not stay here!" said he.

It was then a consultation between these excellent friends, I putting in an occasional opinion, objecting or suggesting upon the safest course to pursue. At length it was decided, and young Robert was sent out to find Richard, another son, probably at the Racket Club, to put the plan in execution. He was met by Robert in the street, and both returned with additional reports. The crowd was still there, the excitement still active. Richard was sent to the livery stable to order a carriage and good pair of horses to be at Emmett's door at four o'clock in the morning. This was done and well done by him; Colden and Emmett went out to reconnoiter, and they had, as I learned from Emmett, gone to the New York Hotel, at the door of which was still a knot of watchers. To Emmett's inquiries they told him that Monnett had allowed a committee of the crowd to enter and search the house for me. Emmett returned with my own hat, one from the hotel, and I had got Colden's coat. An omnibus drove furiously down the street, followed by a shouting crowd. We asked Richard when he came in what it was. He said,

"Merely an omnibus." Next morning he told me he asked the men pursuing "What was the matter?"

One answered "Macready's in that omnibus; they've killed twenty of us, and by G—d we'll kill him!"

Well, all was settled; it was believed that twenty had perished. Robert went to bed to his wife. Emmett went upstairs to lie down, which I declined to do, and with Richard went down into the comfortable office below before a good fire and, by the help of a cigar, to count the slow hours till four o'clock. We talked and he dozed, and I listened to the sounds of the night and thought of home and what would be the anguish of hearts there if I fell in this brutal outbreak.

The clock struck four; we were on the move. Emmett came down and sent Richard to look after the carriage. All was still in the dawn of morning. We waited some ten minutes—an age of suspense. The carriage arrived. I shook the hand of my preserver and friend—my heart responded to my parting prayer of "God bless him," and stepping into the carriage, a covered phaeton, we turned up Fifth Avenue and were on our way to safety.

Thank God!

We met only market carts, butchers' or gardeners', and laborers going to their early work. * * * Reaching New Rochelle a little before seven o'clock, we got breakfast, and Richard decided leaving me here. In the bar-room the landlord asked me,

"Did you come from New York this morning?"

"Yes."

"Did you hear a riot there last night?"

"Yes, I did."

"Was it a very bad one?"

"Yes, I believe so," and I walked out.

Seeing Emmett, I suggested the advisability of his accompanying me to New Haven * * * to which he readily assented.

Richard T. left me as I entered the Springfield cars at New Haven. * * * Reaching Boston I got into a cab, no one near me, and drove at once to my dear friend, George Curtis, whose invitation yesterday received, appeared almost providential. He soon after came in and was heart glad to see me. The telegraph had given the main facts. Hillard came, Benjamin Curtis, Ticknor, all most cordial, congratulating me on my assured safety. I inquired if it were needful to go on to Halifax, but they said my safety was assured here. What an age of feeling, of event, of suffering, has passed since yesterday afternoon! Thank God that I am here, that I live!

It would be a manifest wrong to history for us to close without one more word from diarist Hone. This is his after-the-battle word, on the back of which you will observe how blandly he goes to dinner:

May 11.—I walked up this morning to the field of battle in Astor Place. The Opera-House presents a shocking spectacle, and the adjacent buildings are smashed with bullet-holes. Mrs. Langdon's house looks as if it had withstood a siege. Groups of people were standing around, some justifying the interference of the military, but a large pro-

portion savage as tigers with the smell of blood.

In the evening I was one of a large party who dined with Mr. Vail at his splendid mansion in Fifth Avenue. The dinner was sumptuous, the table superb, the guests numerous. We dined at seven o'clock. The party consisted of General Scott, Mr. Fearing, Robert Ray, Mr. Vail of Troy, Washington Irving, Daniel Fearing, James J. Jones, Charles H. Russell, Colonel Thorn, Mr. Bates, General Tallmadge, Stephens the traveler, West the artist, Hulseman—Austrian chargé, John Van Buren, Mr. Mildmay, Mr. Corcoran of Washington, James G. King, Charles A. Davis, Lispenard Stewart and myself.

Having discharged his whole duty as a citizen and seen to it that the law was sternly upheld—by others—diarist Hone surrounds himself with the most "respectable" of company and pours himself a glass of wine. There we may very properly leave him.

Buntline and fifty-nine others, who were arrested on the spot, were given Blackwell terms of from one month to one year. Rynders was not arrested.

About a month later, in front of Rynders's Empire Club, at 25 Park Row, the following conversation took place between that ironbound Native American and Captain Walling of the police.

Walling: The man who ought to have been shot in Astor Place that night was the man who had those incendiary handbills printed.

Rynders, with heat: The world would be more improved by shooting you than shooting me.

Walling: I didn't say you had the handbills printed. However, they were sent here to your club, paid for at your club, and presumably distributed from your club. If the shoe fits you can put it on.

Rynders, anger on an up-grade: You'd better be careful, Walling, you and Matzell both. The first thing you know I'll roll a stone into your garden that you won't roll out in a hurry.

Walling was careful, Matzell was careful, and Rynders for the Astor Place bloodshed was never disturbed. Rynders was a tower of Native American strength, and threw a long, deep shadow. Also, in every age, no one than the police have been better able to locate the butter on their political bread.

X.

THE BROADWAY CENTRAL TRAGEDY.

In that day they called it the Grand Central Hotel, but, since questions of grandeur are ever questions of comparison, when in the flow of years other hostelries grew up to overwhelm it with their arrogant splendors, the brush of description was shifted and the name changed to Broadway Central. So it is known to-day. The bloody field of events was the Ladies' Staircase. Also, as exhibiting upon what casual, not to say trivial, hinges our doors to life or death swing inward, had it not been for a chance-blown nod and smile, tossed to him across the street by the woman—whom he didn't know and had never seen—in Room 207, Stokes wouldn't have entered the place at all.

The killing occurred January 6, 1872, while Kelso was chief of police. Fisk was thirty-seven years old when he died, and, had Stokes missed him and he lived until now, in the matter of years and probably of fortune, he would have belonged to that group of eminent gold-heapers made up of Rockefeller, Morgan, Carnegie and Hetty Green.

You have heard of men whose end was logical if not legitimate, and who died as they had lived. Fisk —whose death was mean enough—at least was

buried as he had lived, and in the crude glories of his funeral you might have read his story. The Ninth Regiment had taken gloomy charge. Twenty-five—the fighting age—when Sumter was fired on, Fisk's military ardor during the Rebellion had aroused itself no further than was necessary to take, at a fat figure, a contract to furnish blankets for the Union troops. The war over, however, his tardy valor awoke, and he became Colonel of the Ninth. Now that he was dead, his regiment came forward and wrapping him in its shot-torn battle flag bore him to his grave.

Some souls, given to cynicism, might have found in the business certain elements of irony. Not so the fighting Ninth; and men who had bled in forty battles shed tears of grief as, with bowed heads, they followed to his last resting place a leader who had gone no nearer actual strife than Washington and the safe corridors of Willard's.

While two hundred police held back the mob, the coffin—rosewood, satin and gold—was borne from the Fisk home, 313 West Twenty-third Street, to the Grand Opera House, only two doors away. The Erie Railroad had its official habitat on the upper floors of the building, and the coffin, after journeying up the Grand Staircase, was set in pompous state upon a catafalque prepared for it in the Erie Company's vestibule.

The dead man was dressed in his Colonel's uniform, a priceless sword—unstained of blood—by his side. Everywhere were wreaths and crosses and crowns and anchors of hope, done in camellias, tuberoses, pale lilies and immortelles. For Jay Gould had decreed that the Erie pay all; and,

thus encouraged, the florists' bills clambered and mounted until the overflowing total would have fed for a fortnight the poor of all New York.

Aside from the wilderness of flowers, fortunes had been spilled out in more somber decorations. There were princely black ostrich plumes, rich black velvet draperies, richer draperies of white and black tulle, while from the wall, banked in by cut velvet, the face of the dead man—done by a world's most famous artist—looked down in painted approval of what was being so magnificently done in his honor.

Twelve o'clock!—what the society reporters writing of a wedding call, no one knows why, high noon! The Erie doors are thrown open, and the sympathetic rabble pour in. At the dead man's head stand Lieutenant Montgomery and Sergeant Aspenwall; at the foot is Captain Fuller. For two hours, in single file, the mob drifts by. And, because humanity in the herd is shallow and easily stirred, a cataract of tears is shed like a deluge; and all as though a hero lies dead, and the age has been dealt a blow. Captain Flagg reads the burial service, and reads it very well. Then the march to the station begins; for the dead man is going home to those peaceful Vermont valleys which sent him forth.

While these matters were pressing forward, a busy little personage in black went tiptoeing in and out, whispering here a word, rearranging there a fold of the velvet pall, and trying throughout to look modestly mournful, but failing in favor of a smug pride which puffed and distended his bosom. This proudly modest yet self-conscious one was Undertaker Merritt; and a happy man—though in all

humility—did he show himself that day. For the Fisk funeral was a creation, his creation, and in the grief-dimmed glances of the mourners Undertaker Merritt read the admiration which indorsed his work.

The slow march to the railway station was a model of outdoor sorrow. There were dirge-breathing brass bands. There were platoons of police opening a path through the mob, while other police platoons closed up the rear and checked the on-following throng. There were military companies, German singing societies, Tammany clubs. Such known if not uniformly honored spirits as Jay Gould, Boss Tweed, District Attorney Fellows, August Belmont, Peter B. Sweeny, Judge Shearman, John Hilton, Slippery Dick Connelly, David Dudley Field and Judge Fullerton rode in the carriages. There were the officers of the Narragansett Steamship Company in uniform, and a round un-uniformed one thousand of the employees of the Erie railroad, and Fisk's horse—boots reversed, and a wreath of woe-stricken tuberoses about its restless neck. There were twelve platoons of non-commissioned officers, and General Varien and staff—all of the National Guard; while by the coffin's side, with bared heads, walked as pall-bearers General Funk, Colonel Sterry, Colonel Allen, Colonel Scott, Colonel Clark and Lieutenant-Colonel Webster. Good judges, learned in the art of street grief, declared the processional part of the mournful superior to anything of the drum-muffled sort ever witnessed in the avenues of New York.

The little hamlet of Pownal, greenly buried among the Vermont hills, claims the cradle honors

of Fisk's birth. His father was a Yankee peddler. While still in his early 'teens, Fisk united himself with Van Amburg's circus and wild beast show, in the quality of a canvas-man. He worked for the great lion tamer seven years, and learned to drive tent-pegs, pull guy-ropes, sleep in straw, eat off tin dishes, and—as assistant ticket seller—short-change the cross-road Rubes who came to see the show.

Ending with Van Amburg, Fisk became a peddler like his father before him. He made money as readily as some folk make trouble, and—a left-over impression of the circus—his prosperity instantly expressed itself in a dazzling peddler's wagon, drawn by four prancing horses, wearing gold-mounted harnesses of stamped leather and frothily mouthing golden bits.

Fisk flashed through New England from Eastport in Maine to Stamford in Connecticut, a dry-goods peddling comet, until he attracted the Boston attention of Jordan, Marsh & Co. The firm saw reasons for buying Fisk out; and so it took over his flashing wagon, his four frothing, bit-champing horses—with their gold-mounted harness—his trade and his experience, paying therefor a full-stomached figure. Also, it wrote him down on its books as chief salesman, at a salary which matched his meteoric merits. When, at the breaking out of civil war, he went to Washington and wined and dined Jordan, Marsh & Co. into divers rich blanket contracts, the firm, swept off its grateful feet by this display of genius, opened its arms to him as a partner.

As the junior member of Jordan, Marsh & Co., Fisk expanded and continued to expand until there

dawned a day when the admiration of Jordan, Marsh & Co. gave place to fear. Thus, one prudent Saturday night his seniors invited Fisk into the back office, and gave him $250,000 to quit and kiss the firm good-by. Fisk was nothing loth. Those seven years with Van Amburg had marked him; the bandwagon had entered his soul. Dry-goods too much confined him. The trade offered nothing in the way of tanbark, tights and spangles. It was vacant of the snarl of the snare-drum, void of the smell of the coal-oil lamp. For all of these his circus-loving soul felt starved. Fisk in truth had grown to detest dry-goods as much as ever dry-goods had grown to fear him. Wherefore, when Jordan, Marsh & Co.—hands full of money, heart full of alarm—spoke of $250,000 for his "interest," he never waited for the second word. He took the money.

Fisk's few scant winters in the Vermont country schools had not stamped him over-deep with learning. He had read but few books, and the Bible was not among them. Therefore he had never heard of what woe attends upon those who call evil good and good evil, and his morals of commerce were as the morals of a gambler. With the $250,000 which Jordan, Marsh & Co. had paid to be rid of him, he burst upon Boston as a speculator; and all with a purpose of separating the puritans from their money by methods so coarsely callous as to be applauded only among professional card-sharps.

Fisk's Boston offices were at the corner of Sumner and Chauncey Streets. At once the staid puritans came seeking him; and such were their innocence and numbers that, within the first six months,

they gambled him into bankruptcy and stripped him as bare as a coot. The puritans took Fisk's $250,000 off him so fast that—as he himself said later—he caught cold. For his share he gathered such a holy horror of them, and the almost religious fervor wherewith they skinned him, that he fled. Boston was no right field for him, he saw that himself; and thereupon—with his bankruptcy—he headed for New York.

Fisk found New York much easier than Boston. As a gambler, the New Yorker has ever been the soft and pulpy inferior of the Yankee. Fisk opened a brokerage game in Wall Street, upon a capital made up of his Boston experiences and an exhaustless mouthful of promises. When he talked of money, Fisk was not wanting in a kind of eloquence which sounded like the convincing clink of gold itself. In discussing any enterprise he was as promissory as a rainbow, and the New Yorkers, then as now with a money appetite in advance of their money caution, were not backward in believing him.

The first big fish of gold to come Fisk's way was old Daniel Drew. Drew let Fisk sell his Bristol line of steamers; and Fisk, who knew how to lick his fingers as a good cook should, sold those vessels so wisely and so well that he established the firm of Fisk, Belden & Co. on the strength of it, and wound up the year with $1,000,000 in the bank.

Fisk, when he met Drew, was thirty-two years old—an age fortunate in that it has more hopes than memories—an age which, distinguished by energy and ambition, is prone to take opportunity by the

beard and demand victory as a right. Drew was up to his financial ears in Erie. Having sold Drew's Bristol line of steamboats, Fisk, not waiting for any Drew invitation, decided to sell Drew himself out of Erie.

Fisk hooked up with Jay Gould, as young, as unscrupulous, as money-hungry as himself. Gould was already in Erie. Gould and Fisk pooled their hopes and their energies. When the two got through with Drew they were in possession of Erie, and Drew was out. Cast thus into outer Erie darkness, Drew went about—like the wizards that peep and mutter—warning mankind against both Fisk and Gould, saying, "Beware of them two; their tech is death!"

Fisk and Gould, as the unchallenged masters of Erie, watered the stock from $19,000,000 to $34,000,000, and pocketed the water. They then rewatered it from $34,000,000 to $57,000,000 and pocketed the water. Because a legislature must be bought, and inasmuch as buying a legislature includes the thought of district attorneys and juries and judges and jails, Fisk and Gould brought Tweed and Sweeny and Connelly and other high-priests of politics into Erie. These latter Lords of Misrule owned the district attorneys and juries and judges and jails. They owned the New York City delegation in the Albany legislature. Fisk and Gould could attend to the stock-watering; Tweed and Sweeny and Connelly—dominant in New York politics—would hold the law at bay, and keep Fisk and Gould from punitive bolts and bars.

By judiciously commingling politics with speculation, Fisk and Gould made one hand wash the

other to such a jealous profit that each could write himself multi-millionaire before another year was out. It took, to be sure, a deal of ruthless work. Some men they sent to Sing Sing, others they disgraced. Through their linking up with Tweed and his Tammany ring, Fisk and Gould not alone controlled for life or death the law and its machinery, but greatly the public press. The last had become but the abject dog of the Tweed ring, to meanly fetch and carry.

As showing what he could do in the line of destroying character and sending guiltless men to prison, Fisk, as incident to his Erie operations, caused the arrest of Eldridge, the Erie president, upon a charge of having embezzled $5,000,000 of the Erie Company's money, with which to bribe through the bill that authorized Fisk and Gould to water the Erie stock. It was Fisk, not Eldridge, who had thus fraudulently employed that Erie $5,000,000. But Eldridge, facing a felon's fate, knowing how powerless was mere innocence in a Fisk-controlled day of Tweed, realized his helplessness and bought his safety by resigning the Erie presidency to Gould. This was what Fisk had been fighting for, and Eldridge having thus surrendered was allowed to depart in peace.

Dorman B. Eaton, more stubborn than Eldridge, was not so fortunate. Eaton, representing a circle of shareholders, began a prosecution of Fisk which threatened to expose his Erie operations. Fisk coaxed, flattered, threatened, offered a million of money. All in vain; Eaton refused to be put aside. Perjurers assailed the Eaton reputation; Eaton still stood firm. All else failing, Eaton was sandbagged

on the midnight steps of his own home; and, inasmuch as the result of such salutary sandbagging was to render him helpless and half-unconscious for the space of six months, he continued no longer a thorn in the Fisk-Gould-Erie-Tweed-Sweeny-Connelly-Tammany flesh.

Men of today, who read of the raw work done in Erie those 45 years ago, wonder in the phrase of Cherry Hill how Fisk "got away with it." For one matter, the country, rocking and reeling on the ground-swells of civil war, was greatly busy with reconstruction and the task of saving itself. The popular preoccupation worked vastly, and it might have been conclusively, in black favor of Fisk. Had not the public's hands been quite so full of its own affairs, our Prince of Erie might not have fared so well. As things stood, however, he could laugh at walls of stone and iron grates, and snap thumb and finger beneath the defeated nose of justice. Fisk was no bad judge of chances, and he knew himself to be much more safe than were much more honest men.

Fisk, with that show-ring hankering left over from the old Van Amburg days, coveted the Pike Opera House at the corner of Twenty-third Street and Eighth Avenue. He pressed the button of the Fisk-Gould dictatorship of Erie, and Erie bought the Opera House with $820,000 in good gold coin of the realm. Then Fisk bought the Opera House from Erie, paying with Erie's own watered stock. Later he rented as offices the upper floors of the Opera House to Erie; and all at a figure which would have caused the modern New York landlord to bat his envious eyes.

Antony had his Cleopatra, and was our Antony of Erie to miss an equal fate? The Mansfield, a golden daughter of California, was tall, ripe, dark, graceful, with velvety eyes as soft and big and deep as the eyes of a stag. Molded like a goddess, her beauty was the beauty of a Venus. She had wit, sentiment, soul-quickness, and knew how to be feminine and daintily fine. She had a heart, too, and could have loved a man to the panting, bitter, blighting scaffold last of it, had she had but the luck to have met a man worth loving.

But she never did.

As a school girl in California the Mansfield ran away with actor Lawler. She was careful to marry Lawler. Later she proved not quite so particular. Lawler was a poor actor, a worse husband, and the Mansfield fell upon bad days. She asked for a divorce, and got it; and when Fisk first saw her —it was the day of the divorce—with beauty for her capital and but one dress to her lovely back, she was living on crusts and water in East Thirty-fourth Street at the rooms of an actress chum.

Fisk was of those whose god is their belly and whose glory is in their shame. In all things sensual, he was unmoral rather than immoral. He established the Mansfield at 359 West Twenty-third Street. The little house was mirrored and curtained and draped and rugged and frescoed and floored and furnished like unto a queen's palace; and, since his own home was but twenty doors away, and the Erie offices in the Opera House a few doors farther on, he regarded existence as most comfortably arranged.

The Mansfield, cold and cool and wise and cal-

culating, as a woman must be who has only her beauty to bank on, accepted Fisk for what he was and what he promised. She had ceased to be sensitive while yet Mrs. Lawler, and the rough touch of poverty had thickened her skin. She had become, too, a philosopher in petticoats; and, living in a day when Woodhull was preaching free-love and the Reverend Beecher was trotting across the white-hot plow-shares of the Tilton litigations, she saw much in the lives of others to keep her in decorous countenance. And so, with a dainty brazenness, which, while it confessed nothing, concealed nothing, she flung her little perfumed glove in the face of social order, and set up a circle of her own in West Twenty-third.

Fisk had nothing silken in his nature; his fiber was as coarse as horsehair. His great trait was vanity, and he would do anything, be anything, pay anything for admiration. Of flattery, no matter how gross, he could not have too much. Whatsoever its source or its occasion, he gulped it down like wine. Much that Fisk did which was good—his liberalities, his so-called benevolences—had nothing better or nobler to support them than just his shoreless vanity.

It was vanity which prompted him to seek the Colonelcy of the Ninth. Assuredly it was not his war spirit. When it came to actual carnage, he would—to steal from Falstaff—as soon have heard the devil as a drum. During the Orange riots—the only serious military service seen by Fisk—he was off his horse and lost to view at the crack of the first rifle. Two days later history laughingly laid hands on him somewhere in the wilds of New Jer-

sey, being the first officially seen or heard of him since he went scrambling out of the saddle at Twenty-fifth Street and Eighth Avenue.

Once rid of his horse, upon that Battle of the Boyne occasion, Fisk fled through a ginmill, and—fat and girthy as he was, trussed up in his close-fitting uniform like any fowl for roasting—climbed a most difficult back fence. Over boxes and barrels, through friendly back doors, he made his breathless way to the Mansfield's little palace. There he shifted hastily from identifying epaulettes and gold braid into sober business clothes. Already he had sent word to the steamer *Long Branch* to meet him at the North River foot of Twenty-fourth street. Thus, in the skulking language of the underworld, he made his get-away.

The Ninth, Sixth and Eighty-fourth regiments had—men, women and children—mowed down one hundred and twenty-eight people. The alarmed imagination of Fisk clapped a round one thousand to this, while his unflagging egotism taught him that the mob would think he himself had been guilty of it all. As he changed shiveringly from the blue-gold splendors of his uniform into the more quail-like colors of a gray-brown tweed, he was sure that an excited, not to say exasperated, public would not only sack his home at 313 West Twenty-third, but the Mansfield's house as well. He offered to take the Mansfield with him into New Jersey hiding; but her nerves were steadier than his, and she declined. She had a fortune in jewels and pictures and artistic whatnot to look after, and she decided to remain and look after it. So Fisk left her to take her chances. It was all, however, but an in-

stance of vanity and exaggerated ego headed the wrong way. The mob never once thought of Fisk, never once of his family or the Mansfield.

Fisk's vanity, whether for good or ill, was always his North Star. It was his vanity which prompted him in his possession of the Mansfield. He never loved her. By the same hard, untender token she never loved him. Why should she have so wasted herself? Those bleak, unfriendly years with actor Lawler had brought with them their lesson. They had taught her the barren futilities of sentiment without dollars. Wherefore, although finer, the Mansfield in a cut-glass way was quite as dour as Fisk, and while he pampered his vanity she kept her coldly observant eye on Number One.

Nothing if not a Lucullus, none knew better than Fisk how to dine. The Mansfield gave dinners at her little Twenty-third street palace, and sat—the only woman—at the head of the table. To these Mansfield dinners came eminent ones in letters, finance, politics. And every man must mind his manners. For the Mansfield's position was peculiar, and in protecting it she narrowed conversation to the rigidly decorous. Many a jest, many a story, which would have passed at respectable tables, elected what careless humorist or raconteur had been guilty thereof to the Mansfield's black list. He had received his last invitation to dine in Twenty-third Street, Number 359; the Mansfield could not and would not abide the Elizabethan.

Fisk was always at the Mansfield dinners, which with a last word were Fisk dinners. There, too, came Gould and Tweed and what others were of the Erie-Tammany inner circle. It was over 12-dollar

wines and through the smoke of Emperor Napoleon cigars that these kings of politics and stock jobbery laid out their campaigns. The bedplates of Black Friday and the Fisk-Gould gold corner—broken finally by President Grant—were laid at the Mansfield's in the midst of after-dinner laughter.

As wise as beautiful, the Mansfield garnered her golden harvests with the others. She, too, had brokers; she, too, sold on a down and bought on an up market, and became bear or bull with her powerful guests. For while it was her day of splendor, a day when her beauty bought a diamond necklace with a kiss, she had her side of independence, and liked best that gold which no man gave her. Thus she possessed final millions; and when Fisk was in the grave, and Stokes was in the Tombs and a subsequent Sing Sing, the Mansfield—lovely, languid, milk-fed—withdrew to Paris and to silken ease.

There was something to be admired about the Mansfield. She understood the game—hard, sordid, hopeless of aught that was sentimentally fine—into which her poverty and the accidents of life had thrust her. And she played the game to win. She had sold herself for money; and she made sure she got the money. If she felt regret, she never showed her feeling. If her soul hungered for aught better, no heart sob made that hunger manifest. She neither demanded nor avoided attention. Whether she rode in the park or sat in her box at the opera, quiet, poised, beautiful after the manner of some self-centered rose, her expression carried nothing of defiance, nothing of apology. She invited no sympathy, proffered no scorn. She took the bitter

with the sweet, making no wry faces; and if when she seized the flower she felt the thorn she did not cry out.

Fisk understood, while unable to appreciate, the Mansfield's superiority. While he didn't love her, he was proud of her—much as some toad might have been proud of the jewel in its head. It was Fisk's pride in the Mansfield which taught him to bring his friends about her. He liked to exhibit her, liked to show her off. More splendid in her loveliness than the golden glories wherein she sat framed, he regarded her as he might a monument which he had upreared to his own magnificence. Her owner, not her lover, it pleased his vanity more to be known as the proprietor of the Mansfield than as the Prince of Erie.

Fisk brought Stokes to the Mansfield's.

Stokes was the antithesis of Fisk. High, thoroughbred, Stokes was in every line of his nature the patrician. He knew all that schools and colleges could teach. Aside from books, he owned an outdoor side and boxed and fenced, and as much as any Comanche was at home in the saddle. Just as Fisk grew tubbily gross and girthy, so Stokes remained slim and clean and trained. Stokes's eyes were large and full of a brown fire. Alert, straightforward, the soul of courage, the feeling he furnished was a feeling of force. Commercially keen, he was what is called a good business man. But he took his temper into his business. And, because his gun went with his temper, to rob or cheat him possessed a discouraging side.

Stokes's mother was a Pennsylvania Stiles—a fashion of Keystone Vere de Vere. His grand-

father Stokes, a man of position at home, came here from England in 1793, bringing grandmother Stokes along. Grandfather Stokes possessed more aristocratical blood than money; for somehow he had stubbed his business toe in England, which was what sent him sailing to the West. He had some money, however, for he took his first step toward becoming an American by buying a farm overlooking the Hudson.

By the curious way, Sing Sing prison stands upon ground which was aforetime a meadow lot of grandfather Stokes's farm. The stones, too, with which the prison walls were reared, came from the old Stokes quarry; and Stokes—capable of the sardonic—must have been visited more than once during his Sing Sing years, by lip-curling reflections on how grandfather Stokes had sold the State the very granite which held him captive, and without foreseeing reaped a blind profit on his own posterity.

Stokes was six years younger than Fisk. He came to New York from Philadelphia in 1860, and broke into business by way of the Produce Exchange. He wasn't long in making a record as a cavalryman of speculation, and since he won all his battles soon reared up a budding fortune.

Oil boiled to the Western Pennsylvania surface, and Stokes was filled with petroleum dreams. He put up a $250,000 refinery at Hunter's Point, and all in a moment was briskly in the greasy swim. The panic of 1867 laid Stokes on his financial back. Also, before he again could scramble to his feet, his uninsured refinery burned to the ground. This left him as flat as a flounder.

Stokes had credit—that bower anchor of business. His trade genius was as high as his temper, his word as spotless as his courage. Scores of good men knew these things of Stokes, and now, in the hour of his adversity, those scores came forward and offered to set him on his legs again. He borrowed $250,000, rebuilt his burned refinery, and before the year ended he was again in possession of thousands and in close pursuit of more.

Rockefeller over about Oil City conceived the underhand idea of rebates. He made his rebate deals with four railroads, among them the Erie. Fisk, as sharp a huntsman as any Rockefeller of the wild beast called a dollar, beheld and knew at a hungry glance the pocket-bulging beauties of rebates. Through himself and Gould he was in control of the Erie. He, too, would go into oil; and thus—fixing what freight rate for himself he pleased—with oil and rebate working in conjunction cord up a double profit.

Fisk had heard of both Stokes and his Hunter's Point refinery, but didn't know either. He wired Stokes, summering in Saratoga, to come and see him "on business." Stokes came; and Fisk, carrying him up into the high places of a probable profit, showed him the kingdoms of oil and the rebate glories thereof.

Fisk and Stokes constructed a new oil company. Stokes was given $6,000 a year salary, $27,000 a year rent for his refinery, with 30 per cent. of what profits might be made. Thus, to the extent of oil and rebates, and through a rebate door, was Stokes brought into Erie.

Stokes had his honored place at those celebrated Mansfield dinners, where, with wine and laughter and blue cigar smoke over all, fresh schemes of piracy in stocks and politics were almost nightly shoved from shore.

When Fisk took possession of the Pike Opera House he rebaptized it the "Grand." Madam Monteland was brought over from Paris to sing in *Les Brigands.* Fisk gave her a dinner in the Erie rooms, and all the world was there—including the Mansfield.

Carried away on the tides of his own exuberance, Fisk proposed the health of la Monteland, and although no Cicero made a speech. He informed la Monteland, among other matters of equal interest if not importance, that, whereas in times past she had been wined and dined by Europe's counts of no account and dukes without a dollar, she was now being banqueted by one of the royal family of America—himself, indeed, the Prince of Erie—a prince so golden that he owned the Opera House she was to sing in, a prince so powerful that he could change the name of New York to Fiskville whenever moved by the spirit of his own splendors so to do. This was all very impressive to la Monteland.

As for the Mansfield, she showed her appreciation of the Prince's eloquence by frigidly leaving the table.

This cold conduct on the part of the Mansfield nearly sobered Fisk. When he called later at 359 Twenty-third Street to explain, she wouldn't let him in. The Mansfield didn't love Fisk; but one needn't be in love in order to be jealous. Fisk didn't love

the Mansfield; but one needn't be in love in order to feel the cold scorn of two-edged beauty like any dagger of frost.

Fisk asked Stokes to prevail upon the icy Mansfield to thaw, and see things in their proper light. The Stokes ambassadorship was successful; Fisk was restored to Mansfield favor. But he soon fell out again; and when for the second time Stokes sought to bring about a reconciliation, that mediator between hearts (?) didn't find his path so smooth. The Mansfield stood perched upon the high pedestal of her manifest wrongs, and stonily refused to come down. After a soft and pleading siege of several days, however, Stokes was again victorious, and led the half-forgiven, wholly repentant Fisk into the Mansfield's presence.

Stokes, to the day of his death, protested that his own relations with the Mansfield were ripppleless of romance and carried no warm colors of the heart. He declared and re-declared that nothing softer than dollars was ever talked of between them. The Mansfield—not without a sneer at herself for being so pridelessly weak as to notice the subject—said the same.

Fisk, for his side, spoke often and fully to the blushing contrary. Since, however, it was only when the Mansfield refused him her smiles, even those who believed most in him felt that the charges were merely a Fisk first line of defense. With Fisk's own wife not twenty doors away, it was difficult even for the impassive Gould to keep his face straight when Fisk began telling how Stokes had deceived him. The most hardened realize the propriety of the chancery aphorism which insists

that "He who comes into equity must come with clean hands." Wherefore, from Gould to the Erie office boy and back again, among those to whom he wailingly related how Stokes, pretending Damon to his Pythias, had traitorously stolen from him his Mansfield, Fisk met with no sympathy and but slender belief.

After the second reconciliation, Fisk, talking to Stokes, indulged in much pride-blown bombast. It might have been that then and there he signed his own death warrant. Stokes was as proud as any Lucifer at topmost notch of spirit. His courage, too, was as tall as his pride. Moreover, he carried within his heart that bitter drop which, given right—or wrong—occasion, incites to murder. Stokes, under his delicate manners of a gentleman, was a volcano of resentment. As Fisk sat with Stokes at 359 Twenty-third Street and drank and bragged, all that saved Fisk was Stokes's business entanglements with Erie. Stokes would have killed Fisk then and there had he not been held in check by that killing's dollar inconvenience. Stokes, through oil and rebates, was making $200,000 a year; and Fisk, by tearing up his Erie contracts and voting him out of his own refinery, could have stopped every dollar of the two hundred thousand on its way to Stokes's hand.

Save for the Mansfield—still a bit gloomy and storm-tossed, and only half-appeased—no one was at 359 Twenty-third Street that night save Stokes and Fisk.

"Ed, my boy," said Fisk, squinting to catch the color of the burgundy, "it's lucky for you that Josie and I are friends again. Do you know any-

thing of the little surprise party I'd arranged for you?"

"I don't understand."

"State's Prison, my boy," purred Fisk, tasting his wine. "It was I who sent Morehead after you to insult you until you assaulted him; you fell nicely into the trap, my boy."

"Still I don't understand," persisted Stokes.

"You're dull, Ed; extremely dull"—here a sip of wine. "I suppose you know I rule here as much as any Robespierre ever ruled in Paris? I rule the courts; I rule the juries. There's an indictment right now against you in the office of the district attorney, which I'll have to send word to kill. The grand jury reported it a true bill two days ago, and you were to have been collared tomorrow. Josie's forgiveness is all that saves you, my boy—all that saves you."

Fisk complacently filled himself another glass, while the battle lanterns began to redly light themselves in Stokes's eyes. With an effort he held on to himself, thinking about bankruptcy. So far as dollars were concerned he was—and knew it—in the hollow of Fisk's hand.

"So you were behind that gutter-bred rogue, Morehead?" Stokes said after a pause. "Well, at least the work wasn't quite as coarse as when you had your Lynch gang blackjack Eaton. At the same time, Jim, make no mistake; for myself, I've no fear of you."

"Not fear me?" bellowed Fisk, as though an insult had been put upon him—"not fear me? When I have power to drive companies worth millions in terror from the State, don't fancy I'm not power-

ful enough to put through a job which would land a fellow of your size in Sing Sing."

"I may yet go to Sing Sing because of you," Stokes retorted, his brown eyes glittering, "but it'll not be through you nor any job of yours."

The talk was growing too interesting, and the Mansfield interfered. Stokes walked home to the Worth House at Fifth Avenue and Twenty-fifth Street, while Fisk went soddenly to bed.

This was in brown October, 1870.

When Fisk arose next morning he was sore in spirit. That allusion to the Eaton black-jacking had hurt him. The charge that he kept on his pay-roll a band of assassins in the Lynch gang, had hurt him. The ready disbelief of Stokes in his, Fisk's, power to control district attorneys and grand juries and session judges had hurt him. The last, in truth, had fairly set his vanity to a troubled trot.

Most of all, although it dovetailed with his own claims of absolute power, Stokes had made a night-before reference to a $250,000 bribe, paid by Fisk to a United States judge in the Heath-Raphael litigation over certain blocks of Erie stock stolen from English interests, and that reference had peculiarly hurt him. For he had supposed that the bribery wasn't known.

Fisk spoke his mind bitterly to the Mansfield; Stokes should feel the weight of his thumb.

"My touch is cold and clammy to those who cross my path," said Fisk, who must have been reading Mr. Beadle's dime classics.

The Mansfield refused to sympathize. She sided with Stokes, and made no secret of it. Also, she forced Fisk—for the Mansfield was not without

gifts of analysis and eloquence—to a pointblank view of his own mean treasons.

Fisk liked this least of all, and retorted upon the Mansfield to such exasperating effect that she put him out of the house again. This time she instructed him that not all of the Stokeses to ever come out of Devon would prove persuasive enough to win his reinstatement. The Mansfield in every rose-hued sense was through with Fisk. And so she told him.

Fisk went to the Erie offices breathing fire and jealous smoke. As comptroller of Erie he canceled the rebate contracts of the Hunter's Point refinery, and threw that oil industry—it was making $750,000 a year—on the rocks of a receivership.

Fisk went further, and charged Stokes with embezzling $50,000 of the company's money, and saw to it that he was arrested therefor late Saturday night, so as to insure his lying unbailed in the Tombs until Monday. Also Monday's bail—Fisk pushing the lever—was fixed at $50,000

Stokes gave it, and went free.

Stokes was discharged in the matter of the alleged embezzlement, the judge rebelling against the too vulgarly visible hand of Fisk. Stokes began suit against Fisk for false imprisonment, fixing the damages at six figures.

The Mansfield came promptly to the field of battle. Fisk had "borrowed" $40,000 from the Mansfield to invest. Now that she had cast him out he resolved to cling doughtily to the money. This being against the Mansfield's principles, which set her everywhere and always to claiming her own, she sued him.

Being a wise woman, the Mansfield had insisted, when Fisk got her money, upon getting his signature in return. The $40,000 was evidenced by three notes, one of which—it will do for all—read like this:

Treasurer's Office,

ERIE RAILROAD COMPANY.

Borrowed and received from Miss Josie Mansfield fifteen thousand seven hundred and fifty dollars.

$15,750. JAMES FISK, JR.

The papers—Fisk was all-powerful with the press, having the Tweed ring behind him—began to fill up with villain tales concerning Stokes. Stokes, falling back upon the libel laws, began to sue the papers.

The Mansfield received a printed slap.

Fisk had been weak-minded enough to write boastful letters to the Mansfield, detailing his footpad exploits in Erie. She brought these vainglorious epistles, full of recorded crime, to Stokes. Stokes embodied them in an affidavit, and made ready to publish them.

The letters referred disastrously to Gould, Boss Tweed and a long black roll-call in stocks and politics. There was much hurrying to and fro. Those letters, once out, would start stones to rolling which, in the downhill finale, might batter out the brains of all concerned.

Gould, Tweed and those others in danger, souls a-twitter, fell protestingly upon Fisk in flank. He must placate the Mansfield, settle with Stokes!

Those fool letters must never get into print! Fisk, much cowed, paid the Mansfield her $40,000. Also he agreed—$50,000 each year for four years—to give Stokes $200,000. But he didn't do the latter, being restrained not by his avarice, but his vanity. Stokes, he said, would over-crow him, and to be over-crowed was a thing he couldn't stand. With that there broke forth a fresh cross-fire in the papers.

The Tweed interests, still worried over those fool Fisk letters to the Mansfield, again took hold. Stokes was bamboozled into an arbitration, in the course of which the Fisk letters to Mansfield—Stokes's one weapon—got into the hands of Sweeny. Gould and his Tweed clique breathed more freely after that. Those fool Fisk-Mansfield letters were the one written record of Erie iniquities.

The arbitration wagged to a close. The arbitrator—a Tweed individual—waited thirty days, sixty days, and then embarked for Europe. As the ship threw off her ropes he sent his finding ashore. It allowed Stokes $10,000—which he refused to take. Fullerton and Beach were Stokes's counsel. On the back of that remarkable arbitration, Stokes sued Fisk all over again.

But Sweeny kept the fool Fisk-Mansfield letters.

Stokes, born in 1841, was but twenty-nine years old when his troubles with Fisk began. His own sense of honor was high, his word a bond. Quick in business, socially of the world, he was no less singularly innocent and credulous. The soul of truth himself, he believed every man his friend who shook his hand. Thus he was deceived again

and again, and those who should have been most his friends betrayed him most.

If ever money and politics worked in black conjunction to send a man to the gallows, it was in the victim instance of Stokes. That they didn't succeed was among the nine days' wonders of New York. Erie ruled Wall Street, Tweed ruled the town, and, remembering the combination against him, it is difficult to see how a third of a century later Stokes came to die peacefully in his bed at last.

Stokes was tried three times upon that charge of murdering Fisk. From the first, after their wolfish manner to this day, the papers went clamoring for his blood—the papers, which have sent more men to chair and gibbet than has any other New York influence!

In the face of Erie, Tammany and a hostile press, the first trial resulted in a "hung jury." Whereat Erie, Tammany and the papers gnashed their disappointed teeth.

The second jury—Judge Boardman presiding—found Stokes guilty of murder in the first degree. He was eagerly sentenced to be hanged.

Stokes's courage never wavered. Pointing an accusatory finger at the corrupt twelve, he said:

"This verdict is not in accordance with the facts, it is in accordance with the money of Jay Gould!"

Even his foes were compelled to confess Stokes's unshaken courage. From the moment of Fisk's death he was torn at by treasons. Judge Fullerton and Judge Beach, up to that moment his own attorneys, announced themselves retained to assist the public prosecutor in putting the rope about

his neck. This abandonment by "eminent" counsel struck no color from Stokes's face. He simply called to the elbow of his defense John Graham, Eldridge T. Gerry, William O. Bartlett and John McKeon, and said no more about it.

To the atrocious tales flying on the front page of every paper, Stokes was eager to reply. He wanted to tell his story. His counsel said "No!"—all save McKeon. One day, spurred to resentment by a story more than commonly vile, he gave out an interview. With that Graham, Gerry and Bartlett withdrew, and washed their hands of his affairs; only McKeon remained. Stokes refused to be cast down, and retained in their stead John D. Townsend, Henry Daly, Lyman Tremain and John R. Dos Passos.

Fisk dead, Stokes locked up, the Mansfield had crossed over to Paris. Stokes might have secured her testimony by deposition, but shook his head.

His counsel insisted.

"She could come if she cared to," said Stokes. "For myself, I'll hang before I'll accept safety at the price of any woman's tears and blushes."

The Mansfield never testified.

Stokes, capable of imagination, strung like a bow, feeling himself guiltless, must have suffered much. Little marvel that those Tombs' months turned white his hair! Being sentenced to hang, Boardman, judge, refused a new trial. Davis, judge, overruled Boardman, to be himself overruled in what is now the Appellate Division by his colleagues, Brady and Fancher. It was the final court which accepted the Judge Davis view, and set aside Stokes's arranged-for execution.

The Tweed ring fell, and with it went crashing many a sinister figure. Tweed's overthrow meant everything to Stokes. The shallow tides of New York opinion, after the Tweed downfall, began setting in Stokes's favor. Also, when that third jury was sworn, no more were seen across the trial table the inimical figures of Beach and Fullerton—once Stokes's counsel, but committed throughout those earlier trials by Tammany influence and Erie power, to his destruction.

Another ray of sunshine; Davis, judge, would be this time on the bench—Davis, who had granted the stay when Stokes, hope all but gone, was within less than a week of black cap, rope and drop. Altogether, when that third trial was called the skies had vastly cleared for Stokes.

The only evidence upon which to convict came from two hall boys, Hart and Redmond. These creatures, confined beyond the reach of Stokes and his friends in the House of Detention, boasted to Pat Logan, one of their keepers, that they would receive $1,000 for their testimony. This came out at the third trial, Logan not daring to tell it while Tweed ruled New York. These hall boy witnesses complained, too, of the mental strain they experienced in learning by rote the yarn prepared for them, and which they felt was too foolishly long.

The third trial had a milder ending than had the one which preceded it, and the former hanging verdict was softened to manslaughter. Everyone was relieved, save the Erie ring—which had stuck for hangman's noose—and Stokes, who believed he should have gone free.

Incident to the trials, and a most venomously

persistent witness against Stokes, was one, Comer. Comer had been private secretary to Fisk, and was attached to both his employer and his employment. When, after he was sentenced to be hanged, Stokes had been returned to his cell, 73 Murderer's Row, the Tombs, a "congratulatory note" was thrust into his hands. It read:

> Ed: Forgive me. I only did my duty. Remember me to Fisk when you see him, and tell him that the Gould affair is coming out all right.
>
> COMER.

The day that Fisk was shot, Stokes had been all morning before Magistrate Bixby in the Yorkville Court. Fisk published that the Mansfield and Stokes had conspired to blackmail him, and put forward a negro of the royal name of King to perjure the charge through. Stokes caused the arrest of Fisk for criminal libel, and the hearing was in progress in the Yorkville Court.

Fisk himself had not appeared. He had been ill —so ran the reason of his absence—for two weeks. His counsel appeared for him, and the hearing proceeded. It was still in the unfinished air when Magistrate Bixby adjourned for the day.

Stokes was living at the Hoffman. Upon leaving the Yorkville Court he, with his lawyers, went to Delmonico's, at Broadway and Chambers Street. Lunch over, he drove to the Mansfield's in quest of certain papers. He changed his mind, however, and didn't see the Mansfield. If he had gone in he might not have visited the Grand Central, and

Fisk in all chance would have escaped that day's bullets at least. But the shades were down at the Mansfield's, Stokes hesitated to disturb her, and so Fisk was duly shot on the Grand Central stairs.

Turning from the Mansfield's without ringing the bell, Stokes drove down Seventh Avenue, through Fourth Street to Broadway. He visited Niblo's, and bought tickets for the evening. Bailey, a merchant friend, lounged by, and Stokes joining him the pair walked south.

As the two were opposite the Grand Central, the fatal lady in 207 bowed and beamed across the way. The lady in 207 didn't know it, but that nod and smile meant death for Fisk.

Stokes, at the nod and smile, came to a full stop —like a setter pointing a partridge. In the warm breath of his young nature, every day was lady's day with him. He bade adieu to Bailey, and crossed to the Grand Central. He had never set foot in the hotel before.

Climbing the private stairway, Stokes glanced in at the open door of Parlor 207. The lady was there; but her instant expression showed that she didn't know him, and didn't want to know him. There had been a mistake.

Stokes never went farther than the door. He didn't address the lady of the smile and nod. Understanding that he had erred, he started on his return to the street.

Fisk had friends—Mrs. Morse and her daughter —stopping at the Grand Central. Before he died he provided for them in his will. While too ill to attend the Yorkville Court, Fisk still felt himself well enough to call on the Morses. As Stokes be-

gan descending the Grand Central stairs, there was Fisk coming up.

Fisk had on a velvet coat, over which was swung a jaunty military cloak. Stokes was wearing a light top-coat. Both reached for their pistols. But since Fisk was bothered by the military cloak and velvet coat, while Stokes carried his pistol in the outside pocket of his driving coat, the latter got the drop. As Fisk raised his gun—which he did clumsily with both hands—Stokes jumped to the left and fired.

"Oh, Ed!" cried Fisk.

The Stokes pistol roared again.

"Don't, Ed; you've shot me!" exclaimed Fisk.

There was a bullet in Fisk's stomach; the other had pierced his arm.

Stokes tossed his pistol, hot and smoking, on the floor, and walked slowly down the hall. He met his friend, De Corley.

"There's a man shot," said Stokes; "get a doctor."

Stokes found Proprietor Powers, and told him to send for the police.

Fisk was carried into fatal 207. Lawyers and doctors came flocking. The latter could do nothing, the former drew Fisk's will. Fisk gave his millions to his wife, and died the morning after.

The Ninth Regiment held a meeting in its armory. There were deep lamentations, diversified by talk of lynching Stokes. The latter enterprise included the idea of taking the Tombs by storm. But, since Chief Kelso responded by throwing 500 policemen into the prison, cooler counsel took the lead and Stokes was left to the law.

Judge Davis sentenced Stokes to four years in Sing Sing. It was a cold November day when Deputies Shields and Cahill snapped the steel ruffles on Stokes's wrists and took him to the up-the-river train.

By way of showing how the wheel goes round, as Stokes started for prison that November morning, Boss Tweed was being put on trial before Davis, judge, for looting the city. Also, Judge Fullerton and John Graham, who aforetime had abandoned Stokes, were present for Tweed's defense, while as principal counsel for the prosecution came Lyman Tremain, who had saved the neck of Stokes.

November, 1873:

The snow is early and deep this year. It lies thick in the Green Mountains, thick on the hills about Sing Sing, thick even along the *Boulevard des Italiens* before the Mansfield's modest door. And so they leave the story—these three: Fisk lies asleep in his Vermont grave; the Mansfield, furs framing her oval face, a retinue of new fools, French fools, sighing in her lovely wake, is taking her afternoon drive in the *Bois,* to return presently and piously by the church of the Madeleine to say a little prayer—that combination of humility and beauty is so fetching!—while Stokes, gray and grim for one so young, stands staring out through grates and bars across the wind-whipped drifts.

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